

ORDINANCE NO. 4341

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA REPEALING VENTURA COUNTY ORDINANCE NO. 4070 AND ESTABLISHING AMENDED RULES AND REGULATIONS FOR VENTURA COUNTY SERVICE AREA NOS. 29 (NORTH COAST), 30 (NYELAND ACRES), AND 34 (EL RIO) - WASTEWATER FACILITIES SYSTEMS

The short title is:

CSA 29, 30, and 34 - Wastewater Facilities Systems Ordinance

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The Board of Supervisors do hereby repeal Ventura County Ordinance No. 4070 and adopts the following:

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## SECTION 1--PURPOSE AND AUTHORITY

- 1-1 PURPOSE - These Rules and Regulation will govern the administration of County Service Area Nos. 29, 30 and 34 and include, but are not limited, to the design, acquisition, construction, alteration, enlarging, laying, renewal, replacement, maintenance, operation, and inspection of Wastewater collection, transportation, treatment, and disposal systems.
- 1-2 AUTHORITY - All such services are to be provided under and pursuant to authority set forth in the State of California Government Code, Sections 25210.4 and 25825 and CSA 29, 30 and 34 are empowered to provide Wastewater collection, transportation, treatment, and disposal as specified.

## SECTION 2 - DEFINITIONS

- 2-1 "Applicant" shall mean the person making application for a permit for connection to the CSA Wastewater Facilities Systems and shall be the owner of the premises to be served or an authorized Agent.
- 2-2 "Beneficial Uses" shall mean the uses of Waters of the State of California that may be protected against quality degradation, including domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible as specified by Federal or State law.
- 2-3 "Biochemical Oxygen Demand" (BOD) shall mean quantity of oxygen utilized in the biochemical-oxidation of Wastewater under standard laboratory conditions in five (5) days at twenty degrees (20°) centigrade, expressed in milligrams per liter (mg/l).
- 2-4 "Board" shall mean the Board of Supervisors of the County of Ventura acting in its capacity as legislative body for Ventura County Service Area Nos. 29, 30 and 34.
- 2-5 "Building" shall mean any structure, used for human habitation or as a place of business, recreation, or other purpose, containing sanitary facilities.
- 2-6 "Building Sewer" shall mean that portion of any Sewer beginning at the plumbing or drainage outlet of any Building or industrial facility and running to an interceptor tank, an effluent pump tank, a grinder pump tank, or public sewer.
- 2-7 "Capital Improvements" shall mean those portions of the CSA Wastewater Facilities Systems, the use of which is necessary to and shared in common by all Users, except that, Capital Improvements shall also include Building Sewers within CSA. Capital Improvements shall specifically include:
- a. Real estate and rights of way
  - b. Sewer mains



- c. Interceptor tanks, effluent pump tanks, and grinder pump tanks
  - d. Gravity lines
  - e. Force main piping
  - f. Pumping plants
  - g. Wastewater treatment plants
  - h. Wastewater storage facilities
- 2-8 "City of Oxnard" shall mean the City of Oxnard in its capacity as the public entity having jurisdiction over the Treatment Works that will receive and process Wastewater from CSA 30 and CSA 34.
- 2-9 "City of Ventura" shall mean the City of San Buenaventura in its capacity as the public entity having jurisdiction over the Treatment Works that will receive and process Wastewater from CSA 29.
- 2-10 "Commercial" shall mean a site or Building used for the exchange or buying and selling of commodities and shall also mean a hotel or motel.
- 2-11 "Compatible Pollutant" shall mean BOD, SS, pH and fecal coliform bacteria, plus additional pollutants identified by the State Water Resources Control Board.
- 2-12 "Contamination" shall mean an impairment of the quality of the Waters of the State by Waste to a degree which creates a hazard to the public health through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of Wastewater, whether or not Waters of the State are affected.
- 2-13 "Contractor" shall mean any individual, firm, partnership, association, or corporation currently licensed by the State of California to perform the type of work required by a permit.
- 2-14 "CSA" shall mean Ventura County Service Area Nos. 29, 30 and 34, formed in accordance with Sections 25210 et seq. of the California Government Code to construct, operate and maintain a Wastewater Facilities Systems for the North Coast, Nyeland Acres, and El Rio areas. The Board of Supervisors of the County of Ventura is the legislative body of CSA 29, 30 and 34.
- 2-15 "Customer" shall mean the person, firm, partnership, association, or corporation of record receiving Sewer service from CSA.
- 2-16 "Director" shall mean the Director of Water and Sanitation Department of the Public Works Agency or his designated representative.
- 2-17 "Domestic Wastewater" shall mean any Wastewater derived principally from dwellings including, but not limited to, private residences, apartment units, office Buildings, mobile home sites and/or parks, and recreational vehicle parks.

- 2-18 "Easement" shall mean the private property in which a CSA has acquired rights of use for specific purposes.
- 2-19 "Federal Act" shall mean the Federal Water Pollution Control Act P.L. 92-500, and any amendments thereto; as well as any guidelines, limitations, and standards promulgated by the Environmental Protection Agency pursuant to the Act.
- 2-20 "Garbage" shall mean the solid Wastes from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of produce.
- 2-21 "Holding Tank Wastes" shall mean any Pollutant, which is not a Compatible Pollutant as defined in Section 2-11, and which upon testing is found to contain elements such as radioactive Wastes, explosives and noxious, toxic or corrosive gases which are incompatible with the operation and maintenance of the CSA Wastewater Facilities System.
- 2-22 "Incompatible Pollutant" shall mean any Pollutant, which is not a Compatible Pollutant as defined in Section 2-11, and which upon testing is found to contain elements such as radioactive Wastes, explosives and noxious, toxic, or corrosive gases which are incompatible with the operation and maintenance of the CSA Wastewater Facilities Systems.
- 2-23 "Industrial" shall mean any site, structure, Building, or works which is or which is designed to be used for the manufacture, processing, or distribution of materials, equipment, supplies, food, or commodities of any description. It shall also include fraternal organizations, private schools, sanitariums, hospitals, penal institutions, and charitable institutions. Included in the above are all appurtenances and surrounding premises under the same ownership or control.
- 2-24 "Industrial Wastewater" shall mean Wastewater in which the liquid Wastes from Industrial, as defined in Section 2-23, operations predominate as distinct from Domestic Wastewater as defined in Section 2-17.
- 2-25 "Inspector" shall mean the person designated by Director, as defined in Section 2-16, to inspect Wastewater facilities being constructed by Applicant, as defined in Section 2-1, for conformance with applicable construction standards and this Ordinance.
- 2-26 "Lateral Sewer" shall mean the portion of a Sewer lying within a Street or deeded easement connecting the interceptor tank, effluent pump tank, grinder pump tank, or building sewer to CSA Wastewater Facilities Systems mains and including the tank and appurtenances thereto.
- 2-27 "Main Sewer" shall mean the portion of CSA Wastewater Facilities Systems that is designed to accommodate more than one Lateral Sewer as defined in Section 2-26.

- 2-28 "Major Contributing Industry" shall mean any Wastewater contributor identified by the Standard Industrial Classification (SIC) Manual in any of Divisions A, B, D, E, F, and I that: (1) has a discharge flow of 50,000 gallons or more per average work day (if seasonal, the average shall be computed for the period of use); or (2) has a flow or Pollutant loading greater than five percent of the design capacity of the elements of the CSA Wastewater Facilities System Treatment Plant; or (3) has in its Wastes toxic Pollutants in amounts as defined in the standards issued under Section 307(a) of the Federal Water Pollution Control Act Amendments of 1972; or is found by Director to have significant impact, either singly or in combination with other contributing industries, on the functioning of said Treatment Plant or upon the quality of effluent emanating from said Treatment Plant.
- 2-29 "Mass Emission Rate" shall mean the weight of material discharged into the Sewer system during a given time interval. Unless otherwise specified, the Mass Emission Rate shall mean pounds per day of a particular constituent or combination of constituents.
- 2-30 "May" is permissive; shall is mandatory.
- 2-31 "Multiple Residential Sewer Connection" shall mean a Sewer to serve more than one single family residence.
- 2-32 "Nuisance" shall mean anything which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
- 2-33 "Outside Sewer" shall mean any private Sewer beyond the limits of the District.
- 2-34 "Permit" shall mean any written authorization required pursuant to these or any other rules, regulations, or ordinances of CSA for the installation of, connection to, or use of any wastewater facilities of CSA.
- 2-35 "Person" shall mean any individual, partnership, association, firm, company, the responsible officer of any private, public, or municipal corporation and authorized representatives of the United States of America, the State of California and all public districts, political subdivisions, and governmental agencies.
- 2-36 "pH" shall mean the logarithm of the reciprocal of the hydrogen ion concentration. The concentration is the weight of the hydrogen ions, in grams, per liter of solution. Neutral water, for example, has a pH value of 7 and a hydrogen ion concentration of  $10^{-7}$ .
- 2-37 "Plumbing System" shall mean all plumbing fixtures, traps, soil, Waste and special Waste pipes, vent pipes, and all sanitary Sewage pipes within the property lines of the premises.

- 2-38 "Pollution" shall mean alteration of the quality of the Waters of the State by Waste to a degree which unreasonably affects such Waters for beneficial use, or affects the facilities which serve such beneficial uses. Pollution may include Contamination.
- 2-39 "Premises" shall mean any parcel of real estate or portion thereof, including any improvements thereon which are determined by Director to be a single User for purposes of receiving, using, and paying for service.
- 2-40 "Private Easement" shall mean an Easement in which a customer or others may have installed a Sewer line for the transportation of Wastewater to CSA Wastewater Facilities Systems where CSA has no interest or responsibility for the Easement or Sewer line.
- 2-41 "Public Sewer" shall mean a Wastewater pipeline or Wastewater facility located within a Street right of way or within an Easement under the jurisdiction of CSA.
- 2-42 "Sanitary Sewer" shall mean a Sewer which carries Wastewater and to which storm, surface, and ground waters are not intentionally admitted.
- 2-43 "Sewage" shall mean a combination of water-carried Wastes from a residence, business, or an institutional or Industrial establishment.
- 2-44 "Sewer" shall mean any pipe or conduit for the transportation of Sewage and Wastewater.
- 2-45 "Sewer Connection Fee" shall mean the fee charged for the permit authorizing Applicant to connect to the CSA Wastewater Facilities Systems, to have flow capacity privileges and authorization to use the City of Oxnard or City of Ventura Treatment Works subject to payment of prevailing CSA service charges.
- 2-46 "Shall" is mandatory; may is permissive.
- 2-47 "SIC Manual" shall mean the Standard Industrial Classification Manual of the United States Offices of Management and Budget which classifies Users into various divisions.
- 2-48 "Side Sewer" shall mean the Sewer line beginning at the foundation wall of any building and terminating at an interceptor tank, effluent pump tank, or grinder pump tank. Also defined as a Building Sewer in Section 2-6.
- 2-49 "Standard Methods for Examination of Water and Wastewater" shall mean examinations performed in accordance with procedures specified in the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association, except where Director approves other procedures necessary for unusual Wastes.
- 2-50 "Storm Sewer" or "Storm Drain" shall mean a conduit which is intended to carry storm and surface or ground waters and drainage, but excludes Wastewater.

- 2-51 "Streets" shall mean any public highway, road, street, avenue, alley, public place, and public Easement or right of way.
- 2-52 "Suspended Solids" (SS) shall mean solids that either float on the surface of, or are in suspension in water, Wastewater, or other liquids, and which are removable by laboratory filtering, and are referred to as nonfilterable residue in the laboratory test described in "Standard Methods for the Examination of Water and Wastewater.
- 2-53 "Treatment Works" shall mean any devices and systems used in the storage, treatment, recycling, and reclamation of domestic or industrial Wastes of a liquid nature or necessary to recycle or reuse water at the most economical cost over the useful life of the works, including interceptor Sewers, outfall Sewers, Wastewater collection systems, pumping, power, and other equipment and appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for the ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating, or disposing of municipal Waste or Industrial Waste.
- 2-54 "Uniform Plumbing Code" shall mean the Plumbing Code adopted by Ventura County Board of Supervisors for unincorporated areas or the Plumbing Code as adopted by the City Councils of respective cities.
- 2-55 "Unpolluted Water" shall mean water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the agency having jurisdiction thereof for disposal to storm or natural drainage or directly to surface waters.
- 2-56 "User" shall mean any person that discharges, causes or permits the discharge of Wastewater into CSA Wastewater Facilities Systems.
- 2-57 "User Classification" shall mean the classification of users based on the 1972 edition of the SIC Manual as defined in Section 2-47.
- 2-58 "Waste" shall include Wastewater and any and all other Waste substances, liquid, solid, gaseous, or radio-active, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such Waste placed within containers of whatever nature prior to, and for the purpose of disposal.
- 2-59 "Wastewater" shall mean any Waste and water, whether treated or untreated, discharged into or permitted to enter the CSA Wastewater Facilities System.
- 2-60 "Wastewater Constituents and Characteristics" shall mean the individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate

and such other parameters that serve to define, classify or measure the contents, quality, quantity, and strength of Wastewater.

- 2-61 "Wastewater Discharge Permit" shall mean the permit issued by CSA to control the discharge of Industrial Wastewater to the Treatment Works.
- 2-62 "Wastewater Facilities System" shall mean the system of Sewers, including interceptor tanks, effluent tanks, grinder pump tanks, Building Sewers, Main Sewers, Lateral Sewers, and Treatment Works designed for collection, conveyance, treatment, and disposal of Wastewater.
- 2-63 "Waters of the State" shall mean any water, surface or underground, including saline waters within the boundaries of the State.

### SECTION 3 - ADMINISTRATION

- 3-1 Administering Agency - Ventura County Service Areas No. 29, 30 and 34 Wastewater Facilities Systems shall be administered by the Public Works Agency.
- 3-2 CSA Management, Operation, Maintenance and Repair - Personnel of the Public Works Agency as authorized and directed by the Director, shall provide the services of management, administration, budgeting, bookkeeping, accounting, billing, engineering, construction inspection, operation, maintenance and repair, and such other activities as may be deemed necessary or appropriate by the Director. Director may elect to contract for any of the above services should he deem it prudent to do so.
- 3-3 CSA Maps and Descriptions - Maps, descriptions, and other records shall be maintained by the Public Works Agency and kept in the records of the Clerk of the Board of Supervisors or the Agency as appropriate.

### SECTION 4 - GENERAL PROVISIONS

- 4-1 Policy - This Ordinance establishes rules, regulations, and uniform requirements governing connection to the CSA Wastewater Facilities Systems, flow capacity limitations, and conditions of use of said system. Also, this ordinance complies with the administrative provisions of the Clean Water Grant Regulations, the water quality requirements of the Regional Water Quality Control Board and effluent limitations, standards of performance, toxic and pretreatment effluent standards, and other discharge criteria as required or authorized by State and Federal law. This Ordinance provides a means for determining wastewater volumes, constituents, and characteristics, the establishment of charges and fees, and the issuance of permits. Revenues derived from the application of this Ordinance shall be used to cover the costs of establishing, operating, and maintaining the system and for Capital Improvements, repayment of loans including interest, and depreciation. It is the policy of CSA that this Ordinance shall be used to derive maximum public benefit from the Wastewater Facilities Systems.

- 4-2 Short Title - This Ordinance shall be known as the "CSA 29, 30, and 34 - Wastewater Facilities Systems Ordinance".
- 4-3 Effective Date - This Ordinance shall become effective thirty (30) days after it has been passed by the Board.
- 4-4 Posting - Before the expiration of fifteen (15) days from the date this Ordinance is passed, it shall be published in accordance with the Provisions of Section 6061 of the California Government Code.
- 4-5 Violation Unlawful - After the effective date of this Ordinance, it shall be unlawful for any person within CSA to connect to, construct, or provide, maintain, and use any means of Sewage disposal other than the CSA Wastewater Facilities Systems.
- 4-6 Abandonment of Existing Sewage Disposal Facilities - After the effective date of this Ordinance, all existing private Sewage disposal systems, including, but not limited to, cesspools, septic systems, seepage pits, vaults, pit toilets, and privies shall be abandoned in the manner required by the Uniform Plumbing Code.
- 4-7 CSA Inspector - The Director may designate employees of the Public Works Agency or contract for the services of a qualified person or persons to inspect construction associated with alterations, maintenance, and repairs of the system, installations and connections to the system, and suspected violations of this Ordinance.
- 4-8 Authority of Inspectors - Persons designated as Inspector by the Director shall wear or carry identification or credentials which verify and establish their position and authority. Upon lawful permission or authority of an inspection warrant, issued pursuant to Code of Civil Procedure Section 1822.50 et seq., Inspectors may enter Buildings for the purposes of inspection, observation, measurement, sampling, testing, or otherwise performing duties promulgated by this Ordinance.
- 4-9 Delegation of Authority - It is intended that any and all authority be delegated by this Ordinance to the Director, or his designee.
- 4-10 Severability - If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held illegal, invalid, or unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions hereof. The Board hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, and phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared illegal, invalid or unconstitutional. The invalidity of any portion of this Ordinance shall not abate, reduce or otherwise affect any consideration or other obligation required of any Applicant, User, property owner, tenant, or permit recipient.

## SECTION 5 - USE REQUIRED

- 5-1 Treatment of Wastewaters Required - No person shall discharge into any stream or watercourse Wastewater or polluted waters emanating from within CSA except where suitable treatment has been provided in accordance with the provisions of this Ordinance.
- 5-2 Wastewater Facilities Required - The owner of any Building within CSA is hereby required at his expense to connect such Building to CSA 29 and 30 Wastewater Facilities Systems in accordance with the provisions of this Ordinance within one year after the effective date of this Ordinance. Owners of Buildings within CSA 34 will be required to connect such Building to the CSA 34 Wastewater Facilities within 90 days of notification that the Sewer Collection System serving the Building is completed. The 90 day requirement may be extended by the Director for a cause.
- 5-3 Occupancy Prohibited - No Building shall be occupied until the owner has complied with all of the provisions of this Ordinance. Habitation of any Building in violation of the provisions of this Ordinance or any other ordinance, rule or regulation of the County of Ventura or CSA is hereby declared to be a public nuisance. CSA may cause proceedings to be brought for the abatement of the occupancy during the period of such violation.

## SECTION 6 - USE OF WASTEWATER FACILITIES

- 6-1 Prohibition on Discharges - No person shall discharge Wastes into the CSA Wastewater Facilities Systems which cause, threaten to cause, or are capable of causing either alone or by interaction with other substances:
- a. A fire or explosion;
  - b. obstruction of flow or damage to the Treatment Works;
  - c. danger to life or safety of persons;
  - d. interruption of the effective operation and maintenance of the Treatment Works or the Wastewater treatment process;
  - e. air Pollution by the release of toxic or malodorous gases or toxic or malodorous gas-producing substances;
  - f. effluent or any other product of the Wastewater treatment process, such as residues, sludges, or scums, determined by Director to be unsuitable for reclamation and reuse or that interfere with the reclamation process;
  - g. a detrimental impact on the environment or Pollution or Contamination of the Waters of the State or a condition unacceptable to any public agency having regulatory jurisdiction over CSA;



- h. discoloration or any other condition affecting the quality of effluent such that water quality requirements set by law cannot be met;
  - i. conditions at or near CSA Treatment Works which violate any statute, rule, regulation, or ordinance of any public agency or State or Federal regulatory body.
  - j. the CSA Wastewater Facilities Systems or Treatment Works to become overloaded or backed up causing extraordinary collection or treatment costs, or use a disproportionate share of the capacity of the Treatment Works.
- 6-2 Storm Drainage and Groundwater - Storm water, groundwater, rain water, Building and paved area run-off water, yard drainage, street drainage, and subsurface drainage shall not be discharged directly or indirectly into the CSA Wastewater Facilities Systems.
- 6-3 Unpolluted Water - Unpolluted water, including, but not limited to single pass cooling water or dilution water, shall not be discharged directly or indirectly into the CSA Wastewater Facilities Systems.
- 6-4 Swimming Pool Water - No person shall discharge the contents of a swimming pool into the CSA Wastewater Facilities Systems.
- 6-5 Use of Garbage Grinders - Waste from Garbage grinders shall not be discharged into the CSA Wastewater Facilities Systems except:
- a. Wastes generated in preparation of food normally consumed on the premises
  - b. Where the user has obtained a permit for Garbage grinder use from CSA and agrees to undertake whatever self-monitoring is required to enable CSA to equitably determine User charges and fees based on the Waste constituents and characteristics. Such Garbage grinders must shred the Waste (normally 3/8 inches minimum) to a degree that all particles will be carried freely under normal flow conditions prevailing in the CSA Wastewater Facilities Systems. Garbage grinders shall not be used for grinding plastic, paper products, inert materials or garden refuse that subsequently enters the system.
- 6-6 Limitations on Wastewater Constituents and Characteristics - No person shall discharge into the CSA Wastewater Facilities Systems:
- a. Any material which will settle out in the Sewers, such as sand, metal filings, ashes, cinders, mud, straw, glass, rags, feathers, tars, plastics, wood, manure, hair 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 Wastewater Facilities Systems.
  - b. Discharges and Wastes containing unreasonable or unnecessarily large amounts of Suspended Solids unless, at the option of the Director, they are pretreated to

reduce the Suspended Solids to 350 parts per million by weight or the User discharging same shall be charged the prorata cost of corrective treatment in the Treatment Works.

- c. Any substance with a pH value not less than 6.0 nor higher than 9.0.
- d. Any Waste having a temperature higher than 150° F (65.5°C). Where the quantity of discharge having a high temperature represents a significant portion of the flow in a particular Sewer, the allowable temperature may, at the discretion of the Director, be lowered to reduce sulfide generation.
- e. Any liquid and/or pulp, being residue resulting from reduction of lemons, oranges, or other citrus fruits to juice unless a permit is obtained from CSA containing pretreatment conditions or such other special conditions as may be deemed appropriate by Director.
- f. Arsenic in excess of 0.1 mg/l; cadmium in excess of 0.2 mg/l; copper in excess of 2.0 mg/l; cyanide in excess of 1.0 mg/l; lead in excess of 1.0 mg/l; mercury in excess of 0.01 mg/l; nickel in excess of 1.0 mg/l; silver in excess of 0.2 mg/l; chromium in excess of 0.5 mg/l; zinc in excess of 3.0 mg/l.
- g. Waste containing more than 300 mg/l of oil or grease of animal or vegetable origin.
- h. Waste containing more than 100 mg/l of oil or grease of mineral or petroleum origin.
- i. Waste containing in excess of 0.02 mg/l total identifiable chlorinated hydrocarbons which cannot be removed by the Wastewater treatment process.
- j. Waste containing in excess of 1.0 mg/l phenolic compounds which cannot be removed by the Wastewater treatment process.
- k. Holding Tank Wastes as defined in Section 2-21 herein.

6-7 Limitations on Radioactive Waste - No person shall discharge or cause to be discharged, any radioactive Waste into the CSA Wastewater Facilities Systems, except:

- a. When the person is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials.
- b. When the Waste is discharged in strict conformity with current California Radiation Control regulations (California Code of Regulations, Title 17) and the Nuclear Regulatory Commission regulations and recommendations for safe disposal.

- c. When the person is in compliance with all rules and regulations of all other applicable regulatory agencies.
  - d. When the person has obtained a Wastewater Discharge Permit as provided in Section 11-2 Mandatory Wastewater Discharge Permits.
- 6-8 Federal Effluent Limitations Prevail - Effluent limitations promulgated by the Federal Act shall apply in any instance where they are more stringent than those of this Ordinance.
- 6-9 Pretreatment of Wastes - The admission into the CSA Wastewater Facilities Systems of any waters or Wastes having:
- a. a 5-day Biochemical Oxygen Demand (BOD) greater than 300 milligrams per liter; or,
  - b. more than 350 milligrams per liter of suspended solids; or
  - c. any quantity of a substance having the characteristics described in Section 6-6; or
  - d. an average daily flow greater than two percent (2%) of the average daily flow of the CSA Wastewater Facilities Systems;
- shall be subject to the review and approval of Director. Where necessary in Director's opinion, the User shall provide, at their expense, such pretreatment as may be deemed necessary by Director to reduce the BOD and/or reduce the objectionable characteristics and constituents to within the limits set forth in this Ordinance and/or control the quantities and rates of discharge of such waters or Wastes.
- 6-10 Approval of Pretreatment Facilities Plans and Specifications - Plans and specifications, and any other pertinent information relating to proposed pretreatment facilities shall be submitted for the approval of the Director. No construction of such pretreatment facilities shall be commenced until said approval is obtained in writing.
- 6-11 User Required to Install and Maintain Pretreatment Facilities - All pretreatment facilities deemed necessary by Director shall be constructed or installed and maintained by User, at User's expense.
- 6-12 Disposal of Unacceptable Waste - Waste not permitted to be discharged into the CSA Wastewater Facilities Systems, shall be transported to a State approved disposal site.
- 6-13 Grease, Oil and Sand Interceptors Required - Grease, oil and sand interceptors shall be provided when, in the opinion of Director, they are deemed necessary for the proper handling of liquid Wastes, containing grease in amounts deemed by Director to be excessive, 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 Director and shall be installed in a location which permits easy, free access for inspection and cleaning purposes.

- 6-14 User Required to Install and Maintain Interceptors - All grease, oil, and sand interceptors deemed necessary by Director, shall be installed and maintained by User, at User's expense.
- 6-15 Availability of CSA Wastewater Facilities - If Wastewater treatment facilities are not available, the Director may require the User to restrict discharges until sufficient capacity can be made available. Upon request, Director will advise persons desiring to locate new facilities within the boundaries of CSA of the quantity and quality of Wastewater which can be received from the new facilities and processed by the Treatment Works. The Director may refuse service to persons wishing to locate new facilities within the boundaries of CSA, if it is deemed by Director that the proposed quantity or quality of Wastewater is unacceptable.

## SECTION 7 - PERMITS

- 7-1 Permit Required - No unauthorized person shall uncover, make connection with or an opening into, use, alter, or disturb any CSA Sewer or appurtenances or perform any work on any Lateral or Building Sewer without first obtaining a written Permit from CSA and paying to CSA the applicable permit fee. Such Permit shall be posted at the work site.
- 7-2 Application for Permit - Any person legally entitled to apply for and receive a Permit may make application to CSA on the form provided. The location, ownership, occupancy and use of the premises, and a description of the proposed nature of the work to be performed shall be provided by Applicant. Specifications, plans, drawings and other information shall be supplied to CSA as deemed necessary by Director.
- 7-3 Permit Classes - There shall be five (5) permit classifications as follows:
- a. Single Family Residential
  - b. Multiple Residential and Mobile Home Parks
  - c. Commercial, Industrial, and Other User
  - d. Public Sewer Construction, including, but not limited to, construction of Sewers to comply with conditions of approval of subdivisions or other land use entitlements.
  - e. Sewer Alteration

- 7-4 Permit Compliance - Upon a determination by Director that the plans, specifications, drawings, and descriptions are adequate and the applicable dedication of Easements, payment of fees, and all other requirements of this Ordinance have been met by Applicant, a Permit shall be issued. Thereafter, no change shall be made in the location of the Sewer, the grade, materials, or other details described in the Permit or as shown on the approved plans and specifications, unless prior written approval is obtained from the Director.
- 7-5 Agreement - Applicant's signature on an application for a Permit shall constitute an agreement to comply with all the provisions, conditions, terms, and requirements of this Ordinance and requirements of all Federal, State, and local statutes, rules, and regulations. Applicant's signature shall constitute an agreement to comply with the approved plans and specifications and any further corrections and modifications as may be required by Director. Such agreement shall be binding upon Applicant, his heirs, assigns, and successors in interest and may be modified only by Director upon written request for modification by Applicant. Approval of such modification shall be in writing. Applicant may at the option of Director, be required to enter into a separate written agreement satisfactory to Director whereby Applicant and his heirs, assigns, and successors in interest are bound to abide by the above mentioned ordinances, rules, and regulations, and any special requirements deemed by Director to be necessary.
- 7-6 Security - Prior to issuance of a Permit for Public Sewer construction, Applicant shall furnish good and sufficient security, as determined by Director, to guarantee faithful performance of the project contemplated by the Permit, including sufficient materials and labor to finish such project. Unless otherwise determined by Director, such security shall be in the form of cash or bonds, in amounts equal to the total estimated cost of the project. Such security shall be conditioned upon the full performance of all terms and conditions of the Permit. It shall also guarantee correction of faulty workmanship and replacement of defective materials for a period of one (1) year after the date of acceptance of the work by Director.
- 7-7 All Work to be Inspected - All Sewer construction work shall be inspected by an Inspector, as defined herein, to insure compliance with all requirements of this Ordinance and the approved plans and specifications. No Sewer shall be covered at any point until it has been inspected and approved for compliance. No Sewer shall be connected to the CSA Wastewater Facilities Systems until the work covered by the Permit has been completed, inspected, and approved by the Inspector. If upon testing the work proves satisfactory, the Inspector shall issue a certificate of satisfactory completion.
- 7-8 Notification - It shall be the duty of the person doing the work authorized by Permit to notify CSA in writing that the 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 CSA before giving the above notification.

- 7-9 Condemned Work - When any work has been inspected and the work condemned and no certificate of satisfactory completion given, written notice to that effect shall be given instructing Applicant to repair the Sewer or other work authorized by the Permit in accordance with the requirements of Director.
- 7-10 All Costs Paid by Applicant - All costs and expenses incident to the installation and connection of any Sewer or other work authorized by a Permit shall be borne by the Applicant. Such costs are in addition to any other connection fee required by this or any other Ordinance of CSA that provides for connection fees, rates or any other charges.
- 7-11 Street Encroachment Permit - An Encroachment Permit shall be secured by Applicant from the Agency having jurisdiction, prior to any excavation within the right of way for a Street to install Sewers, make Sewer connections or for any related purposes.
- 7-12 Permit Time Limits - If work authorized by a permit is not commenced within six (6) months from the date of issuance, or if after partial completion, the work is discontinued for a period of one (1) year, the Permit shall thereupon become void and no further work shall be done until a new Permit is issued. Fees shall be paid for such new Permit as if the voided Permit had never existed.
- 7-13 Liability - The County of Ventura, CSA and their officers and employees, shall be held harmless from and against any and all loss, damage, expense, claims, and demands, of whatsoever character, including but not limited to, injuries to their employees or to third persons and damage to property belonging to or in their possession or the possession of third persons, whether upon their property or right of way or elsewhere, caused directly or indirectly in the performance by Applicant of any work authorized by Permit. Applicant shall be answerable for and hold the County of Ventura, CSA, and their officers and employees harmless from all costs, expenses, fees, and interest incurred in defending same or in seeking enforcement of this provision. Applicant shall be liable for any defects in the performance of any facilities constructed by Applicant authorized by Permit and any failure which may develop therein.
- 7-14 Litigation Expenses - Should CSA bring legal action against Applicant to compel performance of the provisions of this Ordinance or for breach of covenants, agreements or conditions of the Permit, Applicant shall pay to CSA, in addition to any other relief obtained by CSA, such reasonable attorney's fees as are fixed by the Court.

## SECTION 8 - CHARGES AND FEES

- 8-1 Schedule of Charges and Fees - A schedule of charges and fees shall be adopted by resolution of the Board which will comply with the revenue requirements of the State Water Resources Control Board Grant and Loan Programs and operational requirements and charges and fees shall be determined in a manner consistent with regulations of the Grant and Loan Programs.

- 8-2 Operation and Maintenance Revenue - Operation and maintenance revenue shall be collected from the owners of record in the form of service charges. Such service charges may be collected at the same time and in the same manner as property taxes pursuant to County Ordinance No. 3428, adopted by the Board in February 1979. In accordance with Ordinance 3428, a report shall be prepared by Director and filed with the Clerk of the Board for public review. The report shall set forth the total amount of service charges required and describe how the service charge per parcel for the fiscal year is computed.
- 8-3 Initial Payment of Service Charges - Applicant shall pay service charges in advance for the period of time in which CSA provides Sewer service, beginning on the first day of the month following the date of issuance of the appropriate certificate of occupancy by the Resource Management Agency, Building and Safety Division, and extending to June 30 of the appropriate fiscal year. Thereafter, service charges may be collected in the same manner as property taxes as provided for in Section 8-2 herein. The foregoing does not apply if the alternative method of collection provided for in Section 8-4 herein is used. Should the alternative method of collection be used, Applicant shall pay service charges beginning on the first day of the month following issuance of the appropriate certificate of occupancy by the Resource Management Agency, Building and Safety Division, and continue thereafter in the manner provided for in Section 8-4 herein.
- 8-4 Alternative Method of Collection - At the option of Director, service charges may be collected by direct billing on a monthly or bi-monthly basis. Should direct billing be used as the method for collecting service charges, the charges shall be due and payable in cash on presentation of the bill and shall become delinquent nineteen (19) days after mailing date. Delinquent accounts may be charged a late charge and service may be discontinued with prior notice. Prior notice will be made by telephone, mail, or delivery of a door hanger to the service location at option of Director.
- 8-5 Classification of Users - Users are to be classified by either assigning each one a User Classification according to the principal activity conducted on the user's premises, by individual user analysis, or by a combination of both methods. The purposes of such classification is to facilitate the regulation of Wastewater discharges based on Wastewater Constituents and Characteristics to provide an effective means of source control, and to establish a system of charges and fees which will insure equitable recovery of operation and maintenance costs.
- 8-6 Types of Charges and Fees - The schedule of charges and fees as established by resolution of the Board may include, but is not limited to:
- a) Connection fees
  - b) Service charges
  - c) Permit fees
  - d) Plan check fees

- e) Inspection fees
- f) Wastewater testing fees
- g) Penalties or special cost recovery charges
- h) Charges and fees based on Wastewater Constituents, Characteristics and flows to include industrial cost recovery provisions of the Federal Act.
- i) Appeals Hearing fees
- j) Investigation fees
- k) Release of Notice of Violation fees
- l) Sewer Availability Letter
- m) Sewer Will-Serve Letter

8-7 Basis for Determining Charges and Fees - The basis for determining charges and fees shall be as-follows:

- a) Single Family Residences - A separate single family residential structure shall be charged on the basis of one (1) Residential Unit Equivalent (RUE).
- b) Apartments, Duplexes, and Condominiums - Single family residential living units (more than one (1) ) located under one (1) roof shall be charged on the basis of nine tenths (0.9) of an RUE per unit.
- c) Motel and Hotel Units
  - Motel without laundry or kitchen facilities, whether a single unit located under one (1) roof or more than one (1) roof, shall be charged on the basis of seven-tenths (0.7) of an RUE per unit.
  - Hotel without laundry or kitchen facilities, whether a single unit located under one (1) roof or more than one (1) roof, shall be charged on the basis of five-tenths (0.5) of an RUE per unit.
  - Motel or hotel with laundry and restaurant facilities, whether a single unit located under one (1) roof or more than one (1) roof, shall be charged on the basis of one (1) RUE per unit.
- d) Mobile Home Units - Mobile home units shall be charged on the basis one (1) RUE per unit.



- e) Commercial, Industrial and Other User - Commercial, Industrial, and other user classifications may at the option of Director have their fees computed on the basis of Methods A, B, C, or D as follows:

Method A - (Professional Judgement)

The Director may, by professional judgement, analyze the constituents, characteristics and flow volume and establish in his judgement the number of RUEs or portions thereof which shall be the basis for charges.

Method B - (Number of Plumbing-Fixtures)

Each twenty-five (25) plumbing fixture units as defined in the Uniform Plumbing Code under the Section entitled "Drainage Systems", shall be considered equal to one (1) RUE.

Method C - (Flow And Waste Constituents And Characteristics)

Where flow and Waste Constituents and Characteristics are of an unusual nature, charges and fees shall be determined on the basis of strength of the five (5) day BOD, Suspended Solids, quantity of flow and other factors of the Wastewater discharge that affect the Wastewater transmission, Sewers, treatment and disposal. Determination of the strength of Wastewater shall be conducted in accordance with the latest edition of Standard Methods For Examination Of Water And Wastewater, except where Wastewater of an unusual character make other procedures necessary.

- 8-8 Service Charge Schedule - Any person owning any living unit or building for commercial or industrial purposes which has any fixture or outlet connected directly or indirectly to the CSA Wastewater Facilities Systems, shall pay the service charges and fees which are established from time to time by resolution of the Board. The basis for determining such charges and fees shall be per RUE or portion thereof as provided for in Section 8-7 hereinabove, except for special situations, in which case service charges or fees may be determined by the method deemed by Director to be appropriate and equitable to both CSA and Applicant or User.
- 8-9 Relief from Alleged Unjust Service Charges and Fees - An Applicant or User who by reason of special circumstances believes that the service charges and/or fees are unjust or inequitable as applied to his premises, may make written application to Director's designee stating the circumstances and requesting a different basis for Sewer service charges to his premises, provided such written application is filed within ten (10) days of notice of the service charges and/or fees. Such application for review must set forth in detail facts supporting the requested action. The Director's designee shall provide a prompt, full and fair review and reconsideration and shall set forth his decision in writing and the basis therefor. The written decision shall specifically address each of the

circumstances raised in the application for review. Any Applicant or User who has first applied to Director's designee and received a decision, may, within ten (10) days of notice of such decision apply for relief, in writing, to the Director. Such application shall set forth in detail the facts supporting the requested action.

- 8-10 Responsibility for Payment - The owners of record as shown on the last equalized assessment roll or their heirs, assigns and successors in interest shall be responsible for payment of service charges and fees when such service charges and fees are collected at the same time and in the same manner as property taxes, pursuant to County Ordinance No. 3428. Should the alternative method of collection be used, as provided for in Section 8-4 herein, then the owners of record and their heirs, assigns and successors in interest shall be responsible for payment of service charges and fees unless a written request is received from some person, other than the owners of record, asking to be billed for such service charges and fees; in which case, with the Owner's consent, the person requesting such billing shall assume responsibility for making such payments.
- 8-11 Delinquency Penalty - All service charges and fees, except those collected in the same manner as property taxes, not paid within sixty (60) days after the mailing date of the bill, shall be assessed a penalty of sixteen percent (16%) of the delinquent amount.
- 8-12 Collection Through Litigation - As an alternative to any other procedures provided herein, CSA may file a legal action to collect any unpaid charges. In addition to any other relief obtained by CSA, Applicant or User shall pay such reasonable attorney's fees as are fixed by the Court.
- 8-13 Work Without Permit - Whenever any work for which a permit is required by this Ordinance has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then, or subsequently, issued. The investigation fee shall be equal to the amount of the permit fee required by this Ordinance, and shall in no case be less than the minimum fees required by the adopted Schedule of Charges and Fees.

The payment of such investigation fee shall not exempt any person from compliance with all applicable provisions of this Ordinance, or any of the codes adopted by reference hereby, nor from any penalty prescribed by law.

## SECTION 9 - DESIGN CRITERIA

- 9-1 Design and Construction Requirements - The design and construction of Wastewater facilities and appurtenances shall comply with this Ordinance, the "Sewerage Manual", approved by Board on October 1, 1968, and the latest revisions thereto, the Uniform Plumbing Code, permit and agreement conditions and provisions and any, applicable state and federal regulations. In all cases where there are differences in any of the above requirements, the most stringent or highest requirements shall govern.

- 9-2 Plans, Profiles, and Specifications - The application for a permit for connection to the CSA Wastewater Facilities System or for a permit to construct a Public Sewer within the boundaries of CSA, shall be accompanied by two (2) complete sets of plans, profiles, and specifications, meeting all of the requirements specified in Section 9-1 above, prepared by a Registered Civil Engineer, showing all details of the proposed work, based on an accurate survey of the construction site. At the time of completion of the work, the applicant shall file approved "As-built" reproducible tracings with the Director. All plans, agreements, labor and materials and performance bonds, deeds for conveyance of easements, environmental impact report (where required for developments) and any other plans or documents that may be required by Director, shall be of the quantity, form, size and content specified by Director.
- 9-3 Compliance With All Regulations - Construction of Wastewater facilities within a Street Easement shall comply with all federal, state, county, city, and CSA laws, ordinances, rules, and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protection of trenches, excavation, back-filling, and repaving. Fees of such public entities shall be paid and permits obtained prior to the issuance of a permit by CSA.
- 9-4 Minimum Size and Slope of Building Sewer - The size and slope of Building Sewers shall be subject to approval of the Director, but the size shall in no event be less than four inches (4") in diameter. The slope of Building Sewers shall not be less than one fourth inch (1/4") per foot, except where the Director may permit a slope of one-eighth inch (1/8") per foot because of grade requirements. Situations wherein the Director permits installation of Building Sewers on a slope of one-eighth inch (1/8") per foot shall be subject to such special installation requirements as may be deemed appropriate by the Director.
- 9-5 Building Drain - Whenever possible, Building Sewers shall be brought to Buildings at an elevation below the lowest floor. Building Sewers shall not be laid parallel to and within three feet (3') of a bearing wall which might thereby be weakened. Building Sewers shall be laid at uniform grade and in straight alignment insofar as possible. Changes in direction shall be made only with properly curved pipe fittings, with cleanouts at each forty-five degree (45°) or greater bend, and in conformance with the Uniform Plumbing Code.
- 9-6 Separate Sewers - Every Building or Industrial facility located within the boundaries of CSA shall be separately connected to the CSA Wastewater Facilities Systems within the Street upon which the premises abut, or within a CSA Easement which will serve such premises. However, two or more Buildings located on property belonging to the same owner may be served with the same Side Sewer, provided, that should the property be subdivided into smaller lots, each lot shall be served with a Side Sewer and it shall be unlawful for the owner thereof to continue to use or maintain such indirect connection without written approval of Director, and payment of such additional fees and charges as Director may deem appropriate.

- 9-7 Old Building Sewers - Old Building Sewers may be used in connection with new Buildings only if, after examination and testing, they are found by the Director to meet all CSA requirements.
- 9-8 Cleanouts - Cleanouts shall be provided in all Building Sewers in accordance with all applicable rules, regulations, and ordinances and shall comply with the Uniform Plumbing Code. User shall maintain all cleanouts in a water tight condition.
- 9-9 Excavation - All excavation required for the installation of Building Sewers shall be open trench work unless otherwise permitted by Director. Pipe laying and backfilling shall be performed in accordance with this Ordinance and all other applicable laws, statutes, and ordinances. Backfilling shall not be placed until the work has been inspected.
- 9-10 Excavation Safety Precautions - All excavations for Side Sewer installation shall be adequately guarded by the applicant with barricades or lights so as to protect the public from hazard. Streets, sidewalks, parkways, and all other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Director and any public entities having jurisdiction.
- 9-11 Connection to CSA Wastewater Facilities Systems - Connection of a Building or Side Sewer to the CSA Wastewater Facilities Systems shall be made in strict accordance with the design criteria of this Ordinance and at the Applicant's expense. The invert of a Building Sewer at the point of connection shall be at a higher elevation than the invert of the interceptor tank.
- 9-12 Maintenance of Building Sewers - Building Sewers shall be maintained by CSA in every case where CSA has an Easement permitting such maintenance, to preserve structural integrity of the Sewer.
- 9-13 Easements - Should Easements be required for extension of the Sewer system, including connections, interceptor tanks, effluent pump tanks, grinder pump tanks, power supply, and Building or Side Sewers, Applicant shall grant or obtain such Easements as are deemed appropriate by Director to allow the laying and maintenance of such extension or connection. Where Easements crossing properties other than those served are necessary, Sewer service shall be contingent on the ability of Applicant or CSA to obtain same.
- 9-14 Grade Stakes - Grade and line stakes shall be set by a Registered Civil Engineer or Licensed Land Surveyor prior to the start of work on any Public Sewer construction. The contractor shall be responsible for accurately transferring grades to Sewer invert.
- 9-15 Completion of Sewer Required - Before acceptance of any Sewer line by CSA and prior to the admission of any Wastewater into the system, the Sewer line shall be completed in full compliance with the plans, profiles, and specifications approved by Director, the permit conditions and requirements and this Ordinance, the Sewer line shall be tested and the Inspector must have issued a certificate of satisfactory completion.

## SECTION 10 - WASTEWATER VOLUME DETERMINATION

- 10-1 Metered Water Supply - When charges and fees are based upon water usage, such charges and fees shall be applied against the total amount of water used from all sources unless, in the opinion of Director, significant portions of water received are not discharged into the CSA Wastewater Facilities Systems. The total amount of water used from public and private sources shall be determined, except as provided hereinafter, by means of public meters or private meters installed and maintained at the expense of User and approved by Director.
- 10-2 Metered Wastewater Volume and Metered Diversions - When charges and fees are based upon water usage and where, in the opinion of Director, a significant portion of the water received from any metered source does not flow into the CSA Wastewater Facilities Systems because of the principal activity of User or removal of such water by other means, the charges and fees will be computed on the basis of the volume of Wastewater discharged from User's premises into the system. Written notification and proof of the diversion of water must be provided by User and approved by Director, otherwise, User will be required to pay charges and fees based upon the total volume of water used from all sources. User may install, at User's expense, a meter of a type and at a location approved by Director. Such meters shall measure either the volume of Wastewater discharged or the amount of water diverted as deemed appropriate by Director. Such meters shall be maintained at the expense of User and at User's expense be tested for accuracy when deemed appropriate by Director.

Wastewater meters and vaults shall be approved by Director and must be accurate and operational at all times. Such meters and vaults shall be installed at locations which, in Director's opinion, permit easy access by CSA personnel, at all times, for inspection, testing, or to measure Wastewater Constituents and Characteristics.

- 10-3 Estimate of Volume for Users Without Meters - For Users where in Director's opinion it is unnecessary or impractical to install meters, the charges and fees may be based upon an estimate of the volume of Wastewater discharge, approved by Director. A rational method will be used to estimate the quantity of Wastewater discharged and may consider such factors as the number of fixtures, seating capacity, population equivalent, annual production of goods and services, or such other determinations of water use deemed necessary or desirable to estimate the volume of Wastewater discharged.
- 10-4 Users With Source Meters Who Divert Significant Flow - For Users who, in Director's opinion divert a significant portion of their flow from the CSA Wastewater Facilities Systems, the charges and fees may be based upon an estimate of the flow and volume to be discharged, prepared by User and approved by Director, provided User obtains a Wastewater Discharge Permit and pays the applicable charges and fees. The estimate must include the method and calculations used to determine the Wastewater volume and may consider such factors as the number of fixtures, seating capacity, population equivalents, annual production of goods and services, or such other determinations of water use deemed necessary or desirable to estimate the Wastewater volume discharged.

## SECTION 11- DISCHARGE REPORTS AND WASTEWATER DISCHARGE PERMITS

- 11-1 Discharge Reports - The Director may require that any person discharging or proposing to discharge Wastewater into the CSA Wastewater Facilities Systems file a periodic discharge report. The discharge report shall include, but not be limited to, nature of process, volume, rates of flow, Mass Emission Rate, production quantities, hours of operation, number and classification of employees, or other information which relates to the generation of Waste including Wastewater discharge. Such reports may also include the chemical constituents and quantity of liquid or gaseous materials stored on site even though they are not normally discharged. In addition to discharge reports, the Director may require information in the form of Wastewater Discharge Permit applications and self-monitoring reports.
- 11-2 Mandatory Wastewater Discharge Permits -
- a. Each Major Contributing Industry, as defined in Section 2-28 herein, or other users with a discharge equivalent to that of a Major Contributing Industry, must obtain a Wastewater Discharge Permit before connecting to or discharging into the system.
  - b. Each User discharging or causing to be discharged any radioactive Waste must obtain a Wastewater Discharge Permit.
- 11-3 Optional Wastewater Discharge Permits - CSA may issue a Wastewater Discharge Permit to any User, upon application, in accordance with the terms of this Section in the following categories:
- a. A User who requests charges and fees to be based on an estimate of Wastewater flow.
  - b. Any User whose Wastewater Constituents and Characteristics are less than the normal range for the User classification to which he is assigned because of pretreatment, process changes, or other reasons deemed appropriate by Director.
  - c. Any Industrial user.
- 11-4 Application for Wastewater Discharge Permit - Applicants for a Wastewater Discharge Permit shall complete an application in the form prescribed by the Director. Applicant may be required to submit, in units and terms appropriate for evaluation, the following information:
- a. Name, address, and SIC Manual number of Applicants;
  - b. Volume of Wastewater to be discharged;

- c. Wastewater Constituents and Characteristics including, but not limited to, those mentioned in Sections 6-6, 6-7 and 6-8 as determined by a CSA approved laboratory;
- d. Time and duration of discharge;
- e. Average and thirty (30) minute peak Wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- f. Site plans, floor plans, mechanical and plumbing plans, and details to show all Sewers and appurtenances by size, location and elevation;
- g. Description of activities, facilities, and plan processes on the premises including all materials, processes, and types of materials which are or could be discharged;
- h. Each product produced by type, amount, and rate of production;
- i. Number and type of employees, and hours of work;
- j. Any other information as may be deemed necessary by Director to evaluate the permit application.

Upon receipt of all required information, the application shall be processed and, upon approval by Director, copies shall be filed with CSA and one copy returned to Applicant. When properly signed, the application shall constitute a valid Wastewater Discharge Permit. The application shall be approved if the Applicant has complied with all applicable requirements of this Ordinance and furnished all requested information and if Director determines the additional volume of Wastewater will not, when combined with existing volume of Wastewater, exceed the limitation established by CSA.

11-5 Wastewater Discharge Permit Conditions - Permits may contain the following:

- a. The unit charge or schedule of charges and fees for the Wastewater to be discharged into the CSA Wastewater systems;
- b. The average and maximum Wastewater Constituents and Characteristics;
- c. Limits on rate and time discharge or requirements for flow regulations and equalization;
- d. Requirements for installation of inspection and sampling facilities;
- e. Pretreatment requirements;
- f. Specifications for monitoring programs which may include locations, frequency, and method of sampling;

- g. Requirements for submission of technical reports or discharge reports;
  - h. Requirements for maintaining plant records relating to Wastewater discharge as specified by CSA affording full and free access thereto;
  - i. Mean and maximum Mass Emission Rates, or other appropriate limits when Incompatible Pollutants, as defined by Section 2-22, are proposed or are present in the User's Wastewater discharge;
  - j. Other conditions as deemed appropriate by Director to insure compliance with this Ordinance.
- 11-6 Duration of Wastewater Discharge Permits - Wastewater Discharge Permits shall be issued for a specified time period, not to exceed five (5) years. A Permit may be issued for a period less than a year or may be stated to expire on a specific date. The User shall apply for renewal of the Permit at least thirty (30) days prior to its expiration. The terms and conditions of a Permit may be subject to modification by the Director during the term of a Permit should limitations or requirements identified in Section 6-6 be modified. The User shall be informed of any proposed Permit charges at least thirty (30) days prior to the effective date of the change. Any changes or new conditions in the Permit shall include a reasonable schedule for compliance. Any User proposing a new discharge into the system or a substantial change in the volume or character of Pollutants that are being discharged into the system shall notify the Director at least forty-five (45) days prior to the proposed change or connection.
- 11-7 Non-transferability of Wastewater Discharge Permits - Wastewater Discharge Permits are issued to a specific User for a specific operation. Wastewater Discharge Permits shall not be reassigned or transferred or sold to a new owner, new User, different premises, or a new or changed operation.
- 11-8 Revocation of Wastewater Discharge Permit - Any User who violates the conditions of a Wastewater Discharge Permit, and provisions of this Ordinance, applicable State and Federal regulations, or any of the following, is subject to having the Permit revoked:
- a. Failure of a User to factually report the Wastewater Constituents and Characteristics of the discharge;
  - b. Failure of the User to report significant changes in operations, or Wastewater Constituents and Characteristics;
  - c. Refusal of reasonable access to the User's premises for the purpose of inspection or monitoring, maintenance and to correct violations as provided for in Section 15-4.



- 11-9 Monitoring Facilities - Users who propose to discharge, or who in the judgement of the Director could discharge, now or in the future, Wastewater with constituents and characteristics different from Domestic Wastewater will be required to install a monitoring facility. When more than one User can discharge into a common Building Sewer, the Director may require installation of a separate monitoring facility for each User. Also, when in the judgement of Director, there is a significant difference in Wastewater Constituents and Characteristics produced by different operations of a single User, the Director may require that separate monitoring facilities be installed for each separate discharge.

Monitoring facilities that are required to be installed shall be constructed, operated, and maintained at the User's expense. The purpose of the facility is to enable inspection, sampling, and flow measurement of Wastewaters produced by a User. If sampling or metering equipment is also required by the Director, it shall be provided, installed, and operated at the User's expense. The monitoring facility will normally be required to be located on the User's premises outside of the Building. The Director may, however, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the Street or sidewalk area, with the approval of the public agency having jurisdiction over the Street or sidewalk, and located so that it will not be obstructed by landscaping or parked vehicles. If the monitoring facility is inside the User's fence, there shall be accommodations to allow safe and immediate access for CSA personnel, such as a gate secured with a CSA lock. There shall be ample room in or near such facility to allow accurate sampling and composting of samples for analysis. The entire facility and the sampling and measuring equipment shall be maintained at all times in a safe and properly operating condition by and at the expense of the User.

Whether constructed on public or private property the monitoring facilities shall be constructed in accordance with CSA requirements and all applicable local agency construction standards and specifications.

When in the judgement of the Director, an existing User requires a monitoring facility, the User will be notified of the decision in writing. Construction must be completed within ninety (90) days following written notification unless a time extension is otherwise granted by the Director.

All industries discharging into the CSA Wastewater Facilities Systems shall perform such monitoring of discharges as the Director may require, including installation, use and maintenance of monitoring equipment and records. Such records shall be made available to CSA upon request by the Director.

- 11-10 Inspection and Sampling - CSA representatives may inspect the facilities of any User to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where Wastewater is created or discharged shall allow CSA representatives ready access at all times to all parts of the premises for the purposes of inspection or sampling or in the performance of any of their duties. CSA shall have the right to set up on the User's property such devices as are

necessary to conduct sampling or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their Security Guards so that upon presentation of suitable identification, personnel from CSA will be permitted to enter without delay for the purposes of performing their specific responsibilities.

11-11 Pretreatment - Users shall make Wastewater acceptable under limitations established herein before discharging into the CSA Wastewater Facilities Systems. Any facilities required to pretreat Wastewater to a level acceptable to CSA shall be provided and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to CSA for review, and shall be approved by the Director before construction of the facility. The review and approval of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce Wastewater complying with the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or methods of operation shall be reported to and be approved by the Director.

11-12 Protection from Accidental Discharge - Each User shall provide protection from accidental discharge of prohibited materials or other Wastes regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the User's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to CSA for review, and shall be approved by the Director before construction of the facility.

The review and approval of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to provide the protection necessary to meet the requirements of this Ordinance.

11-13 Confidential Information - All information and data on a User obtained from reports, questionnaires, permit applications, permits, monitoring programs, and inspections shall be available to the public or any other governmental agency without restriction unless the User specifically requests and is able to demonstrate, to the satisfaction of Director, that release of such information would divulge information, processes, methods, or trade secrets which would be detrimental to User's competitive position.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available to governmental agencies for use in making studies; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater Constituents and Characteristics reports will not be recognized as confidential information. Information accepted by CSA as confidential shall not be transmitted to any governmental agency or to the general public by CSA until and unless prior and adequate notification is given to User.

- 11-14 Special Agreements - Special agreements and arrangements between CSA and any persons or agencies may be established when, in the opinion of Director, unusual or extraordinary circumstances compel special terms and conditions.

## SECTION 12 - ACCIDENTAL DISCHARGE

- 12-1 Notification of Accidental Discharge - Users shall notify Director immediately upon accidentally discharging Wastewater in violation of this Ordinance to enable counter measures to be taken by CSA to minimize damage to the CSA Wastewater Facilities Systems and the public in general. This notification shall be followed within fifteen (15) days of the date of occurrence by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent a reoccurrence.
- 12-2 Preventive Procedures Notices to Employees - A notice shall be furnished and permanently posted on User's bulletin board advising employees of procedures to be followed in preventing accidental Wastewater discharges and advising employees whom to call in case of an accidental discharge or spill in violation of this Ordinance.
- 12-3 Preventive Measures - Any direct or indirect connection or entry point for persistent or deleterious Wastes to the User's plumbing or drainage system should be eliminated. Where such action is impractical or unreasonable, the User shall appropriately label such entry points to warn against discharge of such Wastes in violation of this Ordinance.

## SECTION 13 - ENFORCEMENT

- 13-1 Issuance of Notice and Order - When CSA finds that a discharge of Wastewater has taken place in violation of prohibitions or limitations of this Ordinance, or the provisions of a Wastewater Discharge Permit, CSA may issue a Notice and Order. The Notice and Order shall contain:
- a) The street address, if any, and a description sufficient for identification of the property upon which the violation is located;
  - b) A statement that the Director has determined a violation to exist and a concise description of the conditions which render it a violation;
  - c) An order requiring that all applicable permits be secured and/or that the violation be corrected within a specified time determined by the Director to be reasonable in the circumstances;
  - d) A statement that, if the violation is not corrected within the time specified, the County may cause the work to be done and charge the cost thereof against the property or its owner;
  - e) A statement that any person having a legal interest in the property may appeal from the notice and order to the Board of Supervisors if the appeal is made in

writing as provided in this Section and is filed with the Clerk of the Board of Supervisors within 30 days of service of the notice and order;

- f) A statement that failure, neglect or refusal to correct the violation within the time set forth in the notice and order or, in the case of an appeal, within the time set by the Board of Supervisors is a misdemeanor; and
- g) The notice and order shall be served and posted by the Director in the following manner:
  - (1) **Service of Notice and Order.** The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner and posted on the property. The failure of the Director to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.
  - (2) **Method of Service.** Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the Director. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on the date of mailing.
  - (3) **Proof of Service.** Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date, and manner in which service was made. The declaration, together with any receipt card returned in acknowledgement of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the Director.

13-2 Recordation of a Notice of Violation - Non-Compliance of Notice and Order within the time specified therein or, if an appeal has not been filed pursuant to this Section, within the time specified by the Board, the Director shall file in the Office of the County Recorder for recordation a certificate describing the property and certifying (1) that the violation constitutes a public nuisance, and (2) that the owner has been so notified. Whenever the violation shall thereafter have been corrected, the Director shall file in the office of the County Recorder for recordation a new certificate describing the property and certifying that the violation has been corrected, provided a Release of Notice of Violation fee has been paid.

## SECTION 14 - APPEALS

- 14-1 Appeals - An Applicant, User, or permit holder affected by any decision, action, or determination of CSA, including Notice and Orders, interpretations for implementing the provisions of this Ordinance, or any permits issued hereunder, may file a written request for review and reconsideration with Director, provided such written request is filed within ten (10) days of notice of such decision, action, or determination. Such request for review must set forth in detail the facts supporting the requested action.

Within twenty-one (21) days of the filing of a written request for review, the Director shall provide a prompt, full, and fair review and reconsideration and shall set forth his decision in writing and the basis therefor. The written decision shall specifically address each of the circumstances raised in the request for review.

Any Applicant, User, or permit holder who has first filed a written request for review with Director and received no decision within the twenty-one (21) days allowed or received an unsatisfactory decision may, within ten (10) days of notice of such decision, apply for relief in writing directly to the Board. Such application, together with the Appeals Hearing fee prescribed by the Board, shall set forth in detail the facts supporting the requested action. The Clerk of the Board shall place such request for relief on the Board Agenda, and notify the person requesting relief and Director of the time and date set for the hearing. Notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the Director either by causing a copy of such notice to be delivered personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at his/her address shown on the appeal. Enforcement of a notice and order shall be stayed during the pendency of an appeal therefrom which is properly and timely filed. In connection with the hearing, the Board, and any member thereof, may administer oaths and affirmations and issue subpoenas. If, after the hearing, the Board determines that the violation does not exist, it shall allow the appeal and cancel the notice and order. If, after the hearing, the Board determines otherwise, it shall deny the appeal and set a date by which the violation must be corrected, which date shall be no earlier than the last day of the period set forth in the original notice and order. The decision of the Board is final when made. It shall be unlawful for any person, firm, or corporation to whom or to which a notice and order is directed pursuant to this Section to fail, neglect or refuse to obey such order within the time specified in such notice and order or, in the case of an appeal, within the time set by the Board.

## SECTION 15- ABATEMENT

- 15-1 Public Nuisance and Misdemeanor - Discharges of Wastewater in any manner in violation of this Ordinance or of any order issued by the Director as authorized by this Ordinance, is hereby declared a public nuisance and shall be corrected or abated as ordered by Director. Any person creating a public nuisance shall be governed by this Ordinance and any other applicable statutes, ordinances and rules, or regulations of public entities having jurisdiction. In addition, any person who creates a public nuisance by violation of this Ordinance or any order issued by Director as authorized by this

Ordinance, or who violates any of the provisions of this Ordinance or any order issued by Director as authorized by this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction thereon, shall be punishable by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the County Jail, not to exceed 30 days, or both.

15-2 Injunction - Whenever a discharge of Wastewater is in violation of the provisions of this Ordinance or otherwise causes or threatens to cause a condition of Contamination, Pollution or public nuisance, CSA may petition the Superior Court for the issuance of a preliminary or permanent injunction or both, as may be appropriate in restraining further activities creating and continuing the discharge.

15-3 Damage to CSA Facilities - When a discharge of Wastewater causes an obstruction, damage, or any impairment to the CSA Wastewater Facilities Systems, CSA shall notify, in writing, the owner and tenant, if any, of such property, of its intent to assess a charge against the User for the actual cost, including labor, materials, and overhead, required to clean up or repair the obstruction, damage, and impairment. Such notification shall be mailed to the owner of record, at the address shown on the last equalized assessment roll in the records of the Ventura County Assessor. A copy of such notice shall be mailed or delivered to the tenant, if applicable, and a copy of the notice shall be posted conspicuously on the property.

The owner and tenant may appeal the assessment of such charge as provided in Section 14-1 herein.

If the charge is either not appealed or upheld on appeal, it may be billed directly to the User, and shall be due and payable in cash upon presentation of the bill and becomes delinquent nineteen (19) days after its mailing date. Such charge not paid within sixty (60) days after the mailing date shall be assessed a penalty of sixteen percent (16%) of the delinquent amount. Such a delinquency shall be a basis for service to be discontinued.

15-4 Correction or Abatement by County upon Failure to Comply with Notice and Order - If the violation is not corrected or abated within the time set forth in the notice and order or, in the case of an appeal, by the date set by the Board, the Director may, without further notice or hearing, cause the violation to be corrected or abated by the County. Such correction or abatement by the County shall not excuse any prior failure, neglect, or refusal to comply with the notice and order and shall be in addition to whatever other remedies may be provided by this Ordinance or other provisions of law.

15-5 Summary Correction or Abatement by County in Emergency - If the nuisance threatens substantial injury to persons or property which is, in the opinion of the Director, so imminent as to require immediate corrective or abatement measures, the County may summarily correct or abate such nuisance without complying with the provisions of Sections 13 and 14; provided, however, that the Director shall give such notice to the owner of the property as may be practicable in the circumstances.

15-6 Manner of Correction or Abatement by County; Right of Entry - Correction or abatement by the County may be done directly by the County personnel or through contractors in the same manner and subject to the same restrictions as public works. The County and its contractors may enter upon private property to effect such correction or abatement.

15-7 Determining Cost of Correction or Abatement by County - The Director shall keep an itemized account of the costs of correction or abatement by the County pursuant to Subsections 15-4 and 15-5 and, upon completion of the correction or abatement work, shall prepare an itemized written report showing such cost. The cost of correction or abatement by the County shall include an investigation fee and such other fees as may be applicable, including a special cost recovery charge. The Director shall thereupon forward a copy of the report to the Clerk of the Board who shall set a date (at least 10 days after receipt of the report), time and place for a hearing before the Board respecting such report and any objections thereto. Notice of such hearing shall be served and posted at least 10 days prior to the hearing in the manner and subject to the conditions set forth in Subsection 13-1(g) with respect to the notice and order. Such notice of hearing shall contain:

- (1) The street address, if any, and a description sufficient for identification of the property affected by the report;
- (2) A statement that the report has been prepared and is available for inspection in the office of the Director of Public Works;
- (3) A statement that the Board of Supervisors will hold a hearing to consider the report and any timely objections thereto;
- (4) The date, time, and place of such hearing;
- (5) A statement that any interested person wishing to object to such report must file, prior to the hearing, a written statement of the grounds for the objection.

Any interested person may file written objections prior to the hearing. Each such objection shall contain a statement of the grounds therefor. A contention that the condition abated did not constitute a public nuisance shall be a ground for objecting to the report only if the report relates to a summary correction or abatement pursuant to Subsection 15-5. At the hearing, the Board shall receive and consider the report, any timely written objections thereto, and such other information as it may deem proper. At the conclusion of the hearing, the Board may make such corrections in the report as it may deem just and, when it is satisfied that the report (as submitted or corrected) is correct, it shall, by resolution, determine the total amount of such cost of correction or abatement attributable to each parcel of land upon which the correction or abatement took place.

- 15-8 Reimbursement of County for Cost of Correction or Abatement - At any time within 10 days after the Board has adopted a resolution pursuant to Subsection 15-7 determining the cost of correction or abatement by the County, the Director may receive payment of such amount and issue receipts therefor. If payment is not received within such period of time, the Director shall forward a copy of the resolution to the Auditor-Controller.
- 15-9 Special Assessment for Cost of Correction or Abatement by County - The cost of correction or abatement by the County, pursuant to Sections 15-4 and 15-5, for which payment is not made pursuant to Section 15-8, shall be a special assessment against the parcel on which the nuisance had been located. Such special assessment, together with a special cost recovery charge, shall be levied for the fiscal year commencing on the July 1 next following receipt by the Auditor-Controller of the resolution of the Board determining the amount of such cost. The assessment may be collected at the same time and in the same manner as ordinary county taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for ordinary County taxes. All laws applicable to levy, collection, and enforcement of County taxes shall be applicable to such special assessment, except that if any real property to which such cost of correction or abatement relates has been transferred or conveyed to a bona fide purchaser for value, or if alien of a bona fide encumbrancer for value has been created and attaches thereon, prior to the date on which the first installment of such taxes would become delinquent, then such cost of correction or abatement shall not result in a lien against such real property but instead shall be transferred to the unsecured roll for collection.
- 15-10 Falsifying Information - No person shall knowingly make a false statement, representation, record, report, plan, or other document to or for CSA or falsify, tamper with, or knowingly render inaccurate any monitoring device or method required under this Ordinance.
- 15-11 Termination of Service - In order to effect its powers, CSA representatives may, without permission or inspection consent, enter upon private property, not including a building, for the purpose of inspection and maintenance of sanitary and Wastewater disposal facilities and for the purpose of terminating service to property wherein a violation of any rule, regulation, or this Ordinance is found to exist.

Prior to termination of service, however, the Director shall notify, in writing, the owner and tenant, if any, of such property where service is intended to be terminated. The owner and tenant may appeal as provided in Section 14-1 herein. Such notice of termination of service shall be mailed to the owners of record, at the address shown on the last equalized assessment roll in the records of the Ventura County Assessor. A copy of such notice shall be mailed or delivered to the tenant, if applicable, and a copy of the notice shall be posted conspicuously on the property. The notice shall state the date of the termination of service and the reasons therefor.



PASSED AND ADOPTED this 28 day of FEBRUARY, 2006 by the following vote:

Ayes: Supervisors BENNETT, PARKS, LONG, MIKELS

Noes: \_\_\_\_\_

Absent: FLYNN

Linda Parker  
Chair, Board of Supervisors



ATTEST: JOHN F. JOHNSTON,  
Clerk of the Board of Supervisors,  
County of Ventura, State of California.

By: Roberta Rodriguez  
Deputy Clerk of the Board