

# Chapter 1

## General Provisions

### **1.01 Consolidated Ordinance Adopted--Effective Date**

This Consolidated Ordinance, as compiled from the ordinances of the Sacramento Regional County Sanitation District, is the official document containing all current ordinances of the District. This Consolidated Ordinance shall take effect at 12:01 a.m., PST, on February 27, 2010, at which time this Consolidated Ordinance shall be applicable and controlling with respect to all subjects included in this ordinance in lieu of all previous ordinances which are superseded and replaced by this Consolidated Ordinance.

### **1.02 Title--Citation—Reference**

This ordinance shall be known as the “Consolidated Ordinance” of the Sacramento Regional County Sanitation District. It shall be sufficient to refer to this document as the "Consolidated Ordinance" or “District Consolidated Ordinance” in any prosecution for violation of any provision of this Ordinance in any proceeding at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part of this Consolidated Ordinance as an addition to, amendment to, correction of, or repeal of the "Consolidated Ordinance" of the Sacramento Regional County Sanitation District. References to this Consolidated Ordinance may be to the titles, chapters, sections and subsections "" and such references shall apply to that numbered title, chapter, section or subsection as it appears in this Consolidated Ordinance.

### **1.03 Definitions and Construction**

Unless the context otherwise requires the following words and phrases where used in this Consolidated Ordinance shall have the meaning and construction given in this section:

1. ACRE: An area of 43,560 sq ft. The acreage of a parcel includes the entire area of the parcel less any public Rights-of-way (Streets, flood control channels, etc).
2. ADMINISTRATOR: means the District Engineer or his designee.
3. ADMINISTRATIVE COMPLAINT: A formal complaint issued by the District to any Person who violates any provision of this Consolidated Ordinance. The complaint shall allege the act or failure to act that constitutes the violation of the District’s requirements, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty.
4. ADMINISTRATIVE ORDER: An enforcement document which directs industrial users to implement corrective or remedial measures.
5. AFFORDABLE HOUSING COST: refers to the definition contained in Health & Safety Code section 50052.5, including but not limited to cost limits for low and very low households in owner-occupied housing, as further defined in Title 25 of the California Code of Regulations.

6. AFFORDABLE RENT: refers to the definition contained in Health & Safety Code section 50053, including but not limited to cost limits for low and very low households in rental housing, as further defined in Title 25 of the California Code of Regulations.
7. AND/OR: And, or, or both.
8. APPLICANT: means the owner or owners of record of the real property for which a fee deferral is sought pursuant to this Consolidated Ordinance.
9. BIOCHEMICAL OXYGEN DEMAND or BOD: The quantity of dissolved oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees centigrade.
10. CATEGORICAL STANDARDS, OR CATEGORICAL PRETREATMENT STANDARDS: Any regulation containing Pollutant discharge limits promulgated by the United States Environmental Protection Agency (EPA) in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. Section. 1317) which apply to a specific category of Users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405 - 471.
11. CATEGORICAL USER: Any User subject to a Categorical Pretreatment Standard or Categorical Standard.
12. CEASE AND DESIST ORDER: An Administrative Order issued by the District requiring a discharger to halt the discharge of Wastewater in violation of the Sewer Use provisions.
13. CERTIFICATION LETTER: means a written certification from the Sacramento Housing and Redevelopment Agency (hereinafter "SHRA") or the Housing Authority, Redevelopment Agency or other appropriate entity of the City of West Sacramento as so designated by the City of West Sacramento (hereinafter "West Sacramento Agency") that a project is a Qualified Residential Project.
14. CLASS I USER: A User requiring a Wastewater Discharge Permit that is classified as a Significant Industrial User or Non-Significant Categorical User.
15. CLASS II USER: A User requiring a Wastewater Discharge Permit which is not included within the definitions and parameters of Class I.
16. COLLECTION SYSTEM: The pipelines, pump stations, manholes and other similar facilities which are owned, and operated by any of the contributing agencies discharging to the District's interceptors and/or treatment plant.
17. COMBINED SEWER: A Sewer which serves the purpose of both a Sanitary Sewer and a Stormwater conveyance system.
18. COMMERCIAL USER: Any nonresidential User that the District Engineer determines does not meet the definition of a Class I or Class II User.
19. COMMUNITIES: Within the unincorporated areas, Communities are defined as those areas delineated in the Sacramento County Assessor's Database. Within the incorporated areas, Communities are determined by the respective local jurisdiction.
20. COMPLIANCE ORDER (CMO): An Administrative Order directing the User to achieve or restore compliance by a specified date. A CMO may include a compliance schedule with specific milestones for achieving steps toward compliance, for tracking progress, and for the User to report progress.
21. CONSENT ORDER (CO): An Administrative Order establishing an agreement with any User responsible for noncompliance, and specifying action to be taken by the User to correct the noncompliance within a time period also specified by the order.
22. CONTAMINATION: An impairment of the quality of the environment, including waters of the State, by Waste to a degree which creates a hazard to public health through the spread of disease or the creation of toxic conditions.
23. CONDOMINIUM: Any individually owned family dwelling unit co-located with one or more such units in the same structure.
24. CONTRIBUTING AGENCY: Any Public Agency, except for contracting agencies that

- contributes Wastewater from its system to the District Sewer system.
25. DISTRICT: Sacramento Regional County Sanitation District.
  26. DISTRICT BOARD: The Board of Directors of the Sacramento Regional County Sanitation District.
  27. DISTRICT ENGINEER: The Sanitation Districts Agency Administrator, or successor position.
  28. DISTRICT SEWER SYSTEM: All of the District's facilities used for collecting, conveying, pumping, treating and disposing of Wastewater and residuals.
  29. DOMESTIC WASTEWATER: Liquid, solid, and water-carried Waste originating from residential sources. Any Wastewater produced by ordinary living uses, including liquid Waste containing animal or vegetable matter in suspension or solution, or the water-carried Waste from the discharge of toilets, showers, washing machines, sinks, dishwashers, or other source of water-carried Wastes of human origin. This definition includes Wastewater from commercial and industrial sources which is of a similar source and quality to that produced by these same ordinary living uses.
  30. EASEMENT: An acquired legal right to the exclusive or joint use of a defined portion of land for construction and/or maintenance of Sewers.
  31. ENGINEERING NEW RECORD-CONSTRUCTION COST INDEX (ENR-CCI): An index used to determine construction costs, which is derived by using a formula that includes 200 hours of common labor, multiplied by a 20-city (plus San Francisco) average rate for wages and fringe benefits.
  32. EQUIVALENT SINGLE FAMILY DWELLING (ESD): A parameter used to identify the Sewage discharge from a single family detached residential dwelling. For purposes of calculating design Sewage discharges, one Single-Family Dwelling equals 310 gallons/day (9,300 gallons/month) and 180 mg/l of Biochemical Oxygen Demand (BOD) and 180 mg/l of Suspended Solids (SS) at average dry weather flow.
  33. ESD CREDIT: The number of ESD's, based upon usage, assigned to a property on July 1, 1975, or purchased since that time by the payment of Sewer Impact Fees or the predecessors of Sewer Impact Fees.
  34. FEDERAL ACT, ACT: The Federal Water Pollution Control Act, also known as the Clean Water Act as amended in 33 U.S.C. 1251.
  35. FEDERAL PRETREATMENT REGULATIONS: Any regulations promulgated by EPA in accordance with Sections 307(b) and (c) and 402(b) (8) of the Act (33 U.S.C. 1317) for the implementation, administration, and enforcement of pretreatment standards.
  36. FISCAL YEAR: The year beginning July 1 and ending June 30.
  37. FIXTURE UNIT: The unit equivalent of plumbing fixtures as defined in the most recent edition of the Uniform Plumbing Code under the public use category. For purposes of determining Sewer use charges, there are 23 Fixture Units/ESD, which is rounded to 0.04 ESD/Fixture Unit.
  38. GARBAGE: Solid Wastes from preparing, cooking, and dispensing food, and from handling, storing and selling food products.
  39. HAZARDOUS MATERIALS: Any substance, or combination of substances that is classified as hazardous under State (Health and Safety Code, Section 25501 (o)) or federal regulations, is included on the federal list of toxic Pollutants as specified in 40 CFR 403, or is included in the list of hazardous substances as specified in 40 CFR 116. As used herein, hazardous material shall also include any substance, Waste or material which meets any of the following criteria: (1) Toxic - capable of producing injury, illness or damage to humans, livestock or wildlife through ingestion, inhalation or absorption through any body surface; (2) Corrosive- capable of destroying by chemical action living tissue through contact; (3) Irritants - capable of causing a local inflammatory reaction; (4) Strong sensitizers - capable of causing allergic or hypersensitive reactions or (5)

Flammable - capable of burning during normal handling and which may produce harmful gas or particles.

40. HAZARDOUS WASTE: Any Waste classified as Hazardous Waste under 40 CFR 261 or as otherwise defined by State statute or regulation.

41. INCREMENTAL SEWER IMPACT FEE: A fee calculated to finance planning, design, construction, inspection, administrative, debt service, debt covenant, and other related costs for Wastewater conveyance, treatment, and disposal facilities for Regional System expansion required for expanding Residential, Commercial and Qualifying Industrial Users.

42. INDUSTRIAL USER: Any User, which meets one or more of the following:

- (1) Discharges 25,000 gallons or more of Wastewater per day (excluding the domestic portion of the discharge), or
- (2) 37.5 pounds or more of biochemical oxygen demand (BOD) or 25,000 gallons with a concentration of 180 milligrams per liter (mg/l) of Suspended Solids(SS) per day, or
- (3) Discharges Wastewater to a Publicly Owned Treatment Works (POTW) that contains Hazardous materials in sufficient quantity either singly or by interaction with other Wastes, to constitute a potential hazard to humans or animals, to potentially cause Interference or create a public nuisance, or create any hazard in or have an adverse effect on the waters receiving any discharge from the POTW, or
- (4) Is subject to Environmental Protection Agency (EPA) Categorical Pretreatment Standards or any Pretreatment Standards set by the State of California, or
- (5) Is required to obtain a Wastewater Discharge Permit in accordance with the Sacramento Regional County Sanitation District Sewer Use provisions.

43. INFILL COMMUNITIES: Are one of the following:

- (1) Communities or portions of Communities within the 1975 SRCSD service boundary will be considered “infill” if the percentage of connected ESD’s or percentage of connected acreage is 70% or above. These percentages will be reviewed annually.
- (2) Communities or portions of Communities that are outside the 1975 SRCSD service boundary will be considered “infill” if the percentage of connected ESD’s is 70% or above. These percentages will be reviewed in the year 2012.

For purposes of calculating impact fees for development within the City of West Sacramento, the area north of the Barge Canal is defined as “infill Communities” development.

44. INFLOW & INFILTRATION (I & I): Any water entering and/or discharging into collector Sewers, Trunk Sewers or service connections from such sources as, but not limited to roof leaders, cellars, yard and area drains, fountain drains, cooling water discharges, drains form springs and swampy areas, manhole covers, cross-connections from Storm Sewers and Combined Sewers, catch basins, storm waters, surface runoff, Street wash waters, Street wash drainage and any water entering a Collector Sewer, Trunk Sewer or service connections from the ground through means including but not limited to, defective pipes, pipe joints, connections, or manhole walls.

45. INTERCEPTOR SEWER: An existing Sewer (including pumping facilities and in-line treatment facilities belonging to that Sewer) described in the Master Interagency Agreement (MIA) and any future Sanitary Sewers that meet either of the following criteria: a) Any Sanitary Sewer designed to carry a peak wet weather flow (PWWF) of 10 million gallons per day (MGD) or greater, or b) Any Sanitary Sewer that has its upstream and downstream end adjacent and connected to an existing Interceptor Sewer

- described in the MIA.
46. INTERCEPTOR SYSTEM: The District pipelines, pump stations, manholes, and other similar facilities which accept and convey Wastewater to the District treatment plant.
  47. INTERFERENCE: Any discharge which, alone or in conjunction with a discharge or discharges from other sources: 1) inhibits or disrupts the District's treatment processes or operations, or its biosolids processes, use or disposal; or 2) is a cause of a violation of the District's NPDES permit or of the prevention of biosolids use or disposal in compliance with any of the following statutory or regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: Section 405 of the Act; the Solid Waste Disposal Act (SWDA), including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA; the Clean Air Act; the Toxic Substances Control Act and the Marine Protection, Research and Sanctuaries Act.
  48. LOCAL LIMITS: Specific discharge limits developed and enforced by the District upon users to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
  49. LOW INCOME HOUSEHOLDS: Refers to the definition contained in Health & Safety Code section 50079.5, including but not limited to an income limit of 80 percent of area median income, adjusted for family size and revised annually.
  50. MAJOR TRANSPORTATION RELATED FACILITIES: Those properties used as freeways, railroad alignments and yards (excluding private spurs), and airport runways, taxiways and aprons within the air operations area (Primary Surface, Clear Zone, portions of the Transition Zone, etc.). These areas are not considered a part of the acreage of parcels for Sewer Impact Fee calculations.
  51. MASTER INTERAGENCY AGREEMENT (MIA): The agreement between the District and the County of Sacramento, Sacramento County Sanitation District No.1 ((CSD-1), now known as the Sacramento Area Sewer District), cities of Folsom and Sacramento, dated November 1, 1974, and as subsequently amended which defines the interrelationship of the District with the County of Sacramento, CSD-1 and cities of Folsom and Sacramento.
  52. MEDICAL WASTE: Solid Wastes from hospitals, clinics, offices of medical doctors, convalescent homes, medical laboratories or other medical facilities including, but not limited to, hypodermic needles, syringes, instruments, utensils or other paper and plastic items of a disposable nature.
  53. MG: Million gallons.
  54. MGD: Million gallons per day.
  55. MILLIGRAMS PER LITER (MG/L): One milligram in each liter of liquid, which is equal to one part per million.
  56. MMF: The maximum month Wastewater flow occurring during the preceding 12-month period.
  57. MOBILEHOME: A structure, transportable in one or more sections, and when in the traveling mode, is eight feet or more in width, or forty feet or more in length, or, when erected on site, the structure is at least three-hundred and twenty (320) square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems.
  58. MOBILEHOME PARK: Any parcel, area, or tract of land where two or more lots are rented, leased, or held out for rent or lease to accommodate mobile homes for human habitation.
  59. MULTIPLE-FAMILY DWELLING: Multiple-Family Dwellings include duplexes,

triplexes, quadplexes, apartments, mobile homes, condominiums, townhouses and individual dwelling units within a planned unit development in single-family areas. In cases where dwelling units which would normally be defined as Multiple-Family Dwellings contain the characteristics of Single-Family Dwellings, the District Engineer may define the units as Single-Family Dwellings for purposes of this Consolidated Ordinance. Includes duplexes, triplexes, quadplexes, apartments, mobile homes, condominiums and townhouses.

60. NATURAL OUTLET: Any Natural Outlet tributary to a watercourse, ditch, pond, lake, or other body of surface or groundwater.
61. NEW SOURCE or NEW USER: Any building, structure, facility, or installation from which there is or may be a discharge of Pollutants, the construction of which commences after the publication of proposed Pretreatment Standards under section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section. Specific location and construction criteria for determining a New Source are as defined in 40 CFR 403.3(k), as revised.
62. NONCOMPLIANCE: Any violation of any part of this Consolidated Ordinance, a Wastewater Discharge Permit or EPA Pretreatment Standards.
63. NONCOMPLIANCE COST (NCC): A cost issued to the noncompliant User to recover any costs incurred by the District as a result of noncompliance by the User.
64. NON-SIGNIFICANT CATEGORICAL USERS (NSCU): A User subject to a Categorical Pretreatment Standards or Categorical Standard that the District has determined never discharges more than 100 gallons per day (gpd) of total categorical Wastewater (excluding domestic, non-contact cooling and boiler blowdown Wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met: a) the User, prior to the District's finding has consistently complied with all applicable Categorical Pretreatment Standards and Requirements; b) the User annually submits the certification statement required in 40 CFR 403.12 (q), together with any additional information necessary to support the certification statement; and c) the User never discharges any untreated concentrated Wastewater.
65. NONDOMESTIC WASTEWATER: Any Wastewater that does not originate solely from humans and domestic activities and is not produced as Wastewater from restroom facilities, showers, or kitchens. Included in this definition are ground water, Stormwater, urban runoff and cooling water that are discharged to the Sewer. Any water-carried Wastes and Wastewaters, excluding domestic Wastewater, derived from any producing, manufacturing, processing, institutional, agricultural, or other operation.
66. NOTICE OF VIOLATION (NOV): An official communication from the District to a noncompliant User informing the User that a violation has occurred. The NOV can specify corrective measure to be implemented by the User.
67. NPDES PERMIT: (National Pollutant Discharge Elimination System Permit): The written requirements established by the State of California Central Valley Regional Water Quality Control Board (CVRWQCB) which govern the quality and quantity of Wastewater discharged from the District's treatment plant to Receiving Waters. Requirements for screenings and biosolids disposal are established in the associated Waste Discharge Requirements Order issued by the CVRWQCB.
68. NEW INDUSTRIAL USER: For the purposes of this Consolidated Ordinance, the term shall mean any Industrial User that has not previously been connected to the District's facilities or the facilities operated by a contributing agency, or any increases in flow, loading quantities discharged by an existing industry that exceed the quantities contained in the most recent Wastewater Discharge Permit on file with the District.
69. NEW COMMUNITIES: Are one of the following:  
(1) Communities or portions of Communities within the 1975 SRCSD service

boundary will be considered “new growth” if either the percentage of connected ESD’s or percentage of connected acreage does not achieve a 70% development level. These percentages will be reviewed annually.

- (2) Communities or portions of Communities that are outside the 1975 SRCSD service boundary will be considered “new growth” if the percentage of connected ESD’s is below 70%. These percentages will be reviewed in the year 2012.

For purposes of calculating impact fees for development within the City of West Sacramento, the area south of the Barge Canal is defined as “new Communities” development.

70. NUISANCE: That which is injurious to health, or offensive to the senses, or an obstruction to the free use of property so as to interfere with comfortable enjoyment of life or property.
71. PASS THROUGH: A discharge that exits the District’s POTW into the waters of the State in quantities or concentrations, which alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the District’s NPDES Permit, including an increase in the magnitude or duration of a violation, or which causes water quality standards established by the State or EPA to be exceeded. Pass Through shall also include any discharge which exits the District’s POTW into the District’s land disposal system in quantities or concentrations, which alone or in conjunction with a discharge or discharges from other sources, causes the District to violate the requirements of the District’s CVRWQCB Waste Discharge Requirements for land disposal including an increase in the magnitude of the violation. A Pass Through is further defined as a discharge of Pollutants from a User that resulted in a measurable increase in quantities or concentrations in the District’s final discharge to receiving water or land disposal system.
72. PERMITTEE: The Person to whom a Wastewater Discharge Permit has been issued pursuant hereto.
73. PERSON: Any individual, firm, company, association society, partnership, corporation, organization, group, contributing agency or Public Agency, including the State of California and the United States of America. The singular shall include the plural.
74. pH: pH is an expression of the intensity of the alkaline or acidic strength of a liquid.
75. POLLUTANT: Any constituent or characteristic of Wastewaters which is prohibited or limited within this Consolidated Ordinance and where a discharge limit may be imposed either by the District or the regulatory bodies empowered to regulate the District. This may include, but not be limited to, dredged spoil, solid Waste, incinerator residue, filter backwash, Sewage, Garbage, Sewage sludge, munitions, Medical Waste, chemical Waste, biological Waste, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial Wastes, and certain characteristics of Wastewater (to include, but not limited to: pH, salinity, temperature, TSS, turbidity, color, BOD, toxicity, or odor).
76. POLLUTION: A condition in which elements or compounds are present at concentrations high enough above their normal ambient levels to produce a measurable effect on man, animals, vegetation, or materials.
77. PROJECT PROPONENT: Typically a developer or the developer’s representative.
78. PREMISES: A parcel of real property, or portion thereof, including any improvement thereon, which is determined by the District Engineer to be a single unit for purposes of receiving, using, and paying for Sewage disposal service. In making this determination, the District Engineer shall take into consideration such factors as whether the unit could reasonably be subdivided, number and location of service Sewers, and whether the unit is

- being used for a single activity and, if not, what the principal activity is for Sewage disposal services; but in any case, the District Engineer’s determination shall be final.
79. **PRETREATMENT FACILITY:** Any works or device for treatment, control, or flow limitation of Wastewater, prior to discharge into a Public Sewer.
80. **PRETREATMENT REQUIREMENTS:** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
81. **PRETREATMENT STANDARDS OR STANDARDS:** Pretreatment Standards shall mean prohibited discharge standards, Categorical Pretreatment Standards, and Local Limits. This term includes prohibitive discharge limits established pursuant to Title 40 CFR Section 403.5, or under the authority of this Consolidated Ordinance.
82. **PRETREATMENT DISCHARGE STANDARDS or PROHIBITED DISCHARGES:** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Chapter 2 of this Consolidated Ordinance.
83. **PUBLIC AGENCY:** The United States Government or any department or agency thereof; the State of California or any department or agency thereof; any city, county, town or any of their departments or agencies; or any other public district, entity or entities; or any combination of the foregoing.
84. **PUBLIC SEWER:** Any Sewer which carries domestic and/or Nondomestic Wastewater located within an easement or public right- of-way which is maintained by a Public Agency.
85. **PUBLICLY OWNED TREATMENT WORKS (POTW):** A treatment works as defined by Section 212 of the Federal Water Pollution Control Act that is owned by a State or municipality (as defined by Section 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal Sewage or industrial Wastes of a liquid nature. It also includes Sewers, pipes and other conveyances only if they convey Wastewater to a POTW. The term also means the municipality as defined in Section 502(4) of the Act that has jurisdiction over indirect discharges to and the discharges from such a POTW.
86. **QUALIFIED RESIDENTIAL PROJECT**(for purposes of the Deferral of Sewer Impact Fees Ordinance Sections) means a residential development project which shall include:
  - (1) At least 10% of units with Affordable Rents or Affordable Housing Costs for Very Low Income Households; or
  - (2) At least 49% of units with Affordable Rents or Affordable Housing Costs for Low Income Households.
87. **QUALIFYING CUSTOMER:** Any Residential User that meets the requirements of the Sewer Lifeline Rate Assistance Program, as determined from time to time by the Board of Directors.
88. **QUALIFYING INDUSTRIAL USER:** Any Industrial User that participates in Waste Minimization Programs as provided for in this Consolidated Ordinance.
89. **RECEIVING WATERS:** Waters which are defined under 40 CFR 122 (NPDES System) as “Waters of the United States”.
90. **REGIONAL SYSTEM:** All facilities for the conveyance, treatment, and discharge of Wastewater that are owned or operated by the Sacramento Regional County Sanitation District.
91. **RELEASE FROM SHRA:** Means a written release submitted from SHRA or West Sacramento Agency to the Administrator which (1) verifies that the buyer or renter has met the income qualifications as set forth in deferral/waiver chapter or (2) verifies a multi-family residential project has received a State of California Tax Credit Allocation Committee final cost certification or similar certification from another financing entity or that the renter has met the income qualifications as set forth in waiver/deferral chapter.
92. **RESIDENTIAL USER:** A User whose Premises are used solely for non-transient human

- habitation.
93. SACRAMENTO LOCAL AGENCY FORMATION COMMISSION (LAFCo): An agency responsible for coordinating logical and timely changes in local governmental boundaries, including annexations and detachments of territory, incorporations of cities, formations of special districts, and consolidations, mergers, and dissolutions of districts, as well as reviewing ways to reorganize, simplify, and streamline governmental structure.
94. SANITARY SEWER: A Sewer that carries Sewage or industrial Wastes.
95. SELF MONITORING: Wastewater sampling performed by a discharger, in accordance with the District's Pretreatment Program. Self-monitoring requirements will be specified in the User's Wastewater Discharge Permit.
96. SERVICE AREA: The geographical area served by the District's Sewerage System.
97. SEWAGE: Domestic or nondomestic Waste or both together with such ground, surface and storm waters as may be present.
98. SEWER: A pipe or conduit (including pumping facilities and in-line treatment and control facilities appurtenant thereto) which receives and carries Wastewater.
99. SEWER EASEMENT: An acquired legal right to the exclusive or joint use of a defined portion of land for construction or maintenance of Sewers.
100. SEWERAGE SYSTEM: All facilities for collecting, pumping, conveying, controlling, treating, storing and disposing of Wastewater.
101. SEWER IMPACT FEE: A fee calculated for the purpose of financing the planning, design, construction, inspection, administrative, debt service, debt covenant, and other related costs for Wastewater conveyance, treatment, and disposal facilities for Regional System expansion.
102. SHOW CAUSE ORDER (SCO): An order requiring a User to appear before the District Engineer to explain any Noncompliance and why specified enforcement actions should not be taken. The District may designate a hearing officer to hear testimony for the hearing.
103. SIGNIFICANT INDUSTRIAL USER (SIU): In accordance with 40 CFR 403.3(t), a significant industrial user is:
- a) Any User subject to Categorical Pretreatment Standards;
  - b) Any other User that discharges 25,000 gallons per day or more of process Wastewater (excluding domestic wastewater) to the District sewerage system, or that contributes a process wastewater which makes up five percent or more of the average dry weather hydraulic or organic (BOD, TSS, etc.) capacity of the District's treatment plant; or
  - c) Any user that is designated as such by the District on the basis that the industrial user has a reasonable potential to adversely affect the POTW's operation or to violate a Pretreatment Standard or Requirement.
104. SIGNIFICANT NONCOMPLIANCE: A User is in Significant Noncompliance if its violations meet one or more of the following criteria: 1) Chronic violations of Wastewater Discharge Permit limits defined here as those in which 66 percent or more of all of all the measurements taken during a 6-month period exceed by any magnitude a numeric Pretreatment Standard or Requirement, including instantaneous limits; 2) Technical review criteria (TRC) violations defined here as 33 percent or more of all of the measurements for each Pollutant parameter taken during a 6 month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits multiplied by the applicable criteria [1.4 for BOD, TSS, fats, oils and grease and 1.2 for all other Pollutants except pH]; 3) Any other violation of a Pretreatment Standard or Requirement (daily maximum, long-term average, instantaneous limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including

endangering the health of the District personnel or the general); 4) Any discharge of a Pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the District's exercise of emergency authority to halt or prevent such a discharge; 5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual Wastewater Discharge Permit or enforcement order for starting construction, completing construction, or attaining final compliance; 6) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with Categorical Pretreatment Standards deadlines, periodic Self Monitoring reports, and reports on compliance with compliance schedules; 7) Failure to accurately report Noncompliance or provide compliance data; or 8) Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

105. SINGLE-FAMILY DWELLING: Any detached residential premise designed to house one family.
106. SLUG: Any discharge of Waste which in flow rate or concentration or quantities of any given constituent could cause a violation of the prohibitions in the Sewer Use Chapter; or any discharge of a non-routine episodic nature, including but not limited to an accidental spill or non-customary batch discharge.
107. SQ.FT: Square Feet:
108. STANDARD SINGLE-FAMILY RESIDENTIAL DENSITY: Six (6) single-family detached dwelling units per gross acre.
109. STATE: The State of California.
110. STORM SEWER: A Sewer that carries storm water and surface water, Street wash and other wash waters, or drainage, but excludes Sewage and industrial Wastes.
111. STORMWATER: Any flow occurring during or following any form of natural precipitation and resulting therefrom.
112. STREET: Any public highway, road, Street, avenue, way, alley or right-of-way.
113. SUSPENDED SOLIDS (SS): Suspended matter that floats on the surface of, or in, water, Wastewater, or other liquids, and which is removable by laboratory filtering.
114. TERRITORIAL JURISDICTION: That area of land encompassed within the exterior boundary or boundaries of the District or a Contributing Agency, whichever is applicable in the context used, excluding in the case of Sacramento City and Folsom City the portions of said cities that are within the local Service Area of any other Contributing Agency.
115. TRADE SECRETS: Information on production rates or a secret method or process, not patented, but known only to certain individuals using it in compounding some article of trade having a commercial value.
116. TREATMENT CAPACITY BUY-BACK PROGRAM: A program designed by the District to recover surplus treatment capacity from Industrial Users. The provisions and requirements of this program, as amended from time to time, will be developed and maintained by the District Engineer.
117. TRUNK SEWER: A Sanitary Sewer other than an Interceptor Sewer (including pumping facilities and in-line facilities belonging to that Sewer) that is designed to carry between 1 MGD and 10 MGD peak wet weather flow (PWWF) and receiving Wastewater from two or more different users.
118. USER: Any Person who discharges, causes or allows the discharge of Waste directly or indirectly to the Sewer system. This term specifically includes any Categorical Users in the District Service Area whether or not they discharge process Wastewater.

- 119. VERY LOW INCOME HOUSEHOLDS: refers to the definition contained in Health & Safety Code section 50105, including but not limited to an income limit of 50 percent of area median income, adjusted for family size and revised annually.
- 120. WASTE: Includes Sewage and any and all other Waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any commercial, producing, manufacturing, or processing operation of whatever nature.
- 121. WASTE HAULER: Any Person carrying on or engaging in vehicular transport of Waste as part of, or incidental to, any business for the purpose of discharging said Waste into the District Sewer system.
- 122. WASTE MINIMIZATION PROGRAM: A program designed by the District and implemented by Industrial Users which results in a permanent reduction in permitted discharge of Wastewater to the District's Sewerage System. The provisions and requirements of this program, as amended from time to time, will be developed and maintained by the District Engineer.
- 123. WASTEWATER. The liquid and water-carried industrial or domestic Wastes from dwellings, commercial buildings, industrial facilities, and institutions, whether treated or untreated, which is contributed into or permitted to enter the District's facilities.
- 124. WASTEWATER DISCHARGE PERMIT: A control mechanism issued to any Person discharging to the Sewer system that the District Engineer determines needs a permit, to regulate its discharge of toxic, organic, or hydraulic loading to the District Sewer system.
- 125. WATER QUALITY REQUIREMENTS: Requirements for District's treatment plant effluent, or for Receiving Waters, established by law, or by State or federal regulatory agencies, for the protection of receiving water quality.
- 126. WORKING DAY: Monday, Tuesday, Wednesday, Thursday or Friday, excluding federal or California State holidays.

#### **1.04 Consolidation – Repeal of Existing Ordinances**

All ordinances of the Sacramento Regional County Sanitation District not included in this Consolidated Ordinance are hereby repealed as of the effective date of this ordinance.

#### **1.05 Continuity of Provisions**

The provisions of this Consolidated Ordinance , insofar as they are substantially the same as previously existing ordinance provisions relating to the same subject matter, shall be construed as restatements and continuations thereof and not as new enactments.

#### **1.06 Actions and Proceedings Continued**

No actions or proceeding commenced before this Consolidated Ordinance takes effect, and no right accrued, is affected by the provisions of this Consolidated Ordinance , but all procedure thereafter taken shall conform to the provisions of this Consolidated Ordinance so far as possible.

### **1.07 Powers of Officers**

Whenever, by this Consolidated Ordinance, a power is granted to an officer or employee of the District or a duty is imposed upon such officer or employee, the power may be exercised or the duty performed by a deputy of the officer or employee or by a person authorized pursuant to law by the officer.

### **1.08 Liberal Construction**

The provisions of the Consolidated Ordinance shall be liberally construed to obtain its purposes and objects.

### **1.09 Applicability of Chapter**

Unless the provision or the context otherwise requires, the general provisions, rules of construction, and definitions set forth in this chapter shall govern the construction of this Consolidated Ordinance.

### **1.10 Title, Chapter and Section Headings**

Title, chapter, and section headings do not govern, limit, modify or in any way affect the scope, meaning, or intent of the provisions of any title, chapter or section.

### **1.11 Use of English Language Required**

Whenever any notice, report, statement, or record is required by this Consolidated Ordinance, it shall be made in the English language.

### **1.12 Severability**

If any provision of this Consolidated Ordinance or the application thereof to any Person or circumstances, is held invalid, the remainder of the Consolidated Ordinance, or the application of such provisions to other Persons or circumstances shall not be affected thereby.

### **1.13 Time of Day**

Whenever a certain hour or time of day is specified in this Consolidated Ordinance such hour or time shall be standard time or daylight saving time, whichever is in current use in the County of Sacramento, California.

### **1.14 Liability**

No provision of this Consolidated Ordinance shall be construed as imposing upon the District any liability or responsibility for personal injury or property damage resulting from any activity or condition, which arises or exists by virtue of any provision or requirement of this Consolidated Ordinance, including construction, installation, or repair of any facility; equipment or property, or from any defect

therein; nor shall the District or any officer or employee thereof be held as assuming any liability or responsibility by reason or any inspection authorized herein.