

SANITARY CODE

ESTABLISHED BY ORDINANCE No. 26, ADOPTED JULY 1, 1959
AND SUBSEQUENTLY AMENDED AS OF AUGUST 25, 2009

SANITARY DISTRICT No. 1 OF MARIN COUNTY

A SANITARY CODE REGULATING THE USE OF PUBLIC AND PRIVATE SEWERS AND DRAINS, THE INSTALLATION AND CONNECTION OF BUILDING SEWERS, THE INSTALLATION OF SIDE SEWERS AND PUBLIC SEWER MAIN EXTENSIONS, PROVIDING FOR THE AUTHORITY OF THE DISTRICT MANAGER, DISTRICT SUPERINTENDENT, DISTRICT INSPECTOR AND PLUMBING INSPECTOR, PROVIDING PERMITS AND FIXING FEES FOR THE INSTALLATION AND CONNECTION OF SANITARY SEWERS, REGULATING THE DISCHARGE OF WATERS AND WASTES INTO THE PUBLIC SEWER SYSTEM, AND PROVIDING PENALTIES FOR THE VIOLATION OF THE PROVISIONS THEREOF.

ARTICLE I. DEFINITIONS

SECTION 101: DISTRICT shall mean Sanitary District No. 1 of Marin County, California.

SECTION 102: COUNTY shall mean the County of Marin, State of California.

SECTION 103¹: BOARD shall mean the Board of Directors of Sanitary District No. 1 of Marin County.

SECTION 104¹: DISTRICT MANAGER shall mean the person appointed by the Board to administer and enforce the rules, regulations and ordinances of the District. District Manager shall also refer to any person designated to perform duties of the District Manager.

SECTION 105: DISTRICT ENGINEER shall mean the Engineer appointed by and acting for the Board and shall be a registered civil engineer.

SECTION 106: DISTRICT INSPECTOR shall mean the inspector acting for the Board and may be a member of the Board, the Manager, the District Superintendent, Engineer or Inspector appointed by the Board.

SECTION 107: PERSON shall mean any human being, individual, firm, company, partnership, association and private, public or municipal corporation, the United States of America, the State of California, districts and all political subdivisions, governmental agencies and mandatories thereof.

SECTION 108: PERMIT shall mean any written authorization required pursuant to this or any other regulation of District for the installation of any sewage works.

SECTION 109: BUILDING shall mean any structure used for human habitation or a place of business, recreation or other

purpose, containing sanitary facilities.

SECTION 110: APPLICANT shall mean the person making application for a permit for a sewer or plumbing installation and shall be the owner of premises to be served by the sewer for which a permit is requested or his authorized agent.

SECTION 111: CONTRACTOR shall mean an individual, firm, corporation, partnership or association, duly licensed by the State of California to perform the type of work to be done under the permit.

SECTION 112: STREET shall mean any public highway, road, street, avenue, alley, way, public place, public easement or right-of-way.

SECTION 113: SEWAGE WORKS shall mean all facilities for collecting, pumping, treating and disposing of sewage.

SECTION 114: SEWAGE shall mean a combination of water carried wastes from residences, business buildings, institutions and industrial establishments.

SECTION 115: SEWER shall mean a pipe or conduit for carrying sewage.

SECTION 116: PUBLIC SEWER shall mean a sewer lying within a street and which is controlled by or under the jurisdiction of the District.

SECTION 117: SANITARY SEWER shall mean a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

SECTION 118: MAIN SEWER shall mean a public sewer designed to accommodate more than one lateral sewer.

SECTION 119¹: LATERAL STUB shall mean the portion of a sewer lying within a public street, public right-of-way or public easement connecting a building sewer to the Public Sewer.

SECTION 120: 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 the property line or to a private sewage disposal system.

SECTION 121¹: LATERAL or SIDE SEWER shall mean the sewer line beginning at the foundation wall of any building and terminating at the Public Sewer and includes the Building Sewer and Lateral Stub together.

SECTION 122: PRIVATE SEWER shall mean a sewer serving an independent sewage disposal system not connected with a public sewer and which accommodates one or more buildings or industries.

SECTION 123: OUTSIDE SEWER shall mean a sanitary sewer beyond the limits of the Sanitary District not subject to the control or jurisdiction of District.

SECTION 124: PLUMBING SYSTEM shall mean all plumbing fixtures and traps, or soil, waste, special waste and vent pipes, and all sanitary sewer pipes, within a building and extending to the building sewer connection three (3) feet outside the building wall.

SECTION 125: SEWAGE TREATMENT PLANT shall mean any arrangement of devices and structures used for treating sewage.

SECTION 126: GARBAGE shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

SECTION 127: DRAIN shall mean any conduit for the conveyance of storm water or surface or sub-surface ground drainage water carrying no putrescible matter.

SECTION 128²: SEWER EJECTOR PUMP: A self-contained mechanical unit designed to transport sewage under pressure from a private building to a Public Sewer. Sewer ejector pumps and their discharge laterals are owned, operated and maintained by the respective property owner.

**ARTICLE II
GENERAL PROVISIONS**

SECTION 201: RULES AND REGULATIONS. The following rules and regulations respecting sewer construction and disposal of sewage and drainage of buildings and connection to the sewage works of the District are hereby adopted, and all work in respect thereto shall be performed as herein required, and not otherwise.

SECTION 202: PURPOSE. This ordinance is intended to provide rules and regulations for the use and construction of sanitary sewer facilities hereafter installed, altered or repaired within the District. This ordinance shall not apply retroactively and in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used therein.

SECTION 203: SHORT TITLE. This Ordinance shall be known as the Sanitary Code of Sanitary District No. 1 of Marin County.

SECTION 204: PUBLICATION. This Ordinance shall be in force and effect commencing seven (7) days from and after the date of its final passage and shall be published once in a newspaper of general circulation printed and published in the District within seven (7) days after the date of its final passage.

SECTION 205: VIOLATION UNLAWFUL. Following the effective date of this Ordinance it shall be unlawful for any person to connect to, construct, install or provide, maintain and use any other means of sewage disposal from any building in said District except by connection to a public sewer in the manner as in this Ordinance provided.

SECTION 206: RELIEF ON APPLICATION. When any person by reason of special circumstances, is of the opinion that any provision of this Ordinance is unjust or inequitable as applied to his premises, he may make written application to the Board, stating the special circumstances, citing the provision complained of and requesting suspension or modification

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

SECTION 207: RELIEF ON OWN MOTION. The Board may, on its own motion, find that by reason of special circumstances any provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof.

SECTION 208¹: PERMITS AND FEES. No Public Sewer, Side Sewer or other sewage facility shall be installed and no Side Sewer shall be repaired or replaced within the District until a permit for the work has been obtained from the District and all fees paid in accordance with the requirements of Article VII of the Sanitary Code.

SECTION 209: PROTECTION FROM DAMAGE. No unauthorized person shall maliciously, willfully or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District sewage works. Any person violating this provision shall be subject to the penalties provided by law.

SECTION 210: POWERS AND AUTHORITIES OF INSPECTORS. The officers, inspectors, managers or any employees duly authorized by the manager of the district, upon identification, shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purpose of inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary for the protection of the public sewer system and the enforcement of the provisions of this Ordinance and rules and regulations of the District.

SECTION 211²: CONDEMNATION. When a Public Sewer Extension is sought by an applicant and a right-of-way is necessary for the Public Sewer through property not owned by the applicant, the applicant shall first seek to obtain the necessary right-of-way for a Public Sewer through negotiations with the other property owner. If such negotiations are not successful, the District may, upon conditions established by the Board, order condemnation of the required Public Sewer ease-

ment.

**ARTICLE III
SEPTIC TANKS**

SECTION 301: SEPTIC TANKS. When a public sewer is not reasonably available with the consent of the Board it is permissible to dispose of sewage by means of a privately installed and maintained septic tank system. Before such a septic tank system is undertaken, the party desiring same shall obtain a permit from the plumbing inspector of the city in which the septic tank will be located, or if the site of the installation is in unincorporated county territory, the permit shall be obtained from the Marin County Health Department. All details of construction must conform to the requirements of the authority having jurisdiction in that particular locale.

**ARTICLE IV
SPECIFICATIONS FOR
SIDE SEWERS,
BUILDING SEWERS,
LATERAL SEWERS AND
CONNECTIONS**

SECTION 401: PERMIT REQUIRED. In accordance with Article VII of this Ordinance, no person shall construct a building sewer or lateral sewer, repair or replace a Side Sewer or make a connection with any public sewer without first obtaining a written permit from the District and paying all fees and connection charges as required therein.

SECTION 402: MINIMUM SIZE AND SLOPE. The minimum size of a building sewer shall be 4-inch diameter. At the discretion of the District Manager or Superintendent, a building sewer serving a duplex or multiple dwelling or industrial building may be required to be larger. The minimum slope of a building sewer shall be one and one-half feet per 100 feet.

SECTION 403¹: SEPARATE SEWERS. Except as provided for in this code, every house and building requiring sewer service shall be separately and independently connected with the Public Sewer; provided, however, that where two or more buildings are on the same lot, belonging to one owner, separate connections need not be made with the Public Sewer. No two separate owners of adjacent lots shall be

permitted to join in the use of the same side sewer.

SECTION 404: OLD BUILDING SEWERS. Old building sewers may be used in connection with new buildings only when they are found upon examination and tested by the District Superintendent, to meet all requirements. All costs for examination and test by the District must be paid in advance by applicant.

SECTION 405: SEWER TOO LOW. In all buildings in which any building sewer is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building sewer shall be lifted by artificial means, approved by the Manager, and discharged to the public sewer at the expense of the owner.

SECTION 406: PROTECTION OF EXCAVATION. All excavations for a side sewer installation shall be adequately guarded with barricades or lights so as to protect the public from hazard. Streets, side walks, parkways and other property disturbed in the course of the work shall be restored in a manner satisfactory to the District and the County or any other person having jurisdiction thereover.

SECTION 407¹: OWNERSHIP AND MAINTENANCE OF SIDE SEWER. Side Sewers shall be owned and maintained by the owner of the property served thereby.

SECTION 408¹: SIDE SEWER REQUIREMENTS: In the event that a Side Sewer is installed on property not owned in fee by the applicant, the applicant must obtain an easement for the installation and maintenance of the Side Sewer from the owner of the other property and provide the District with a copy of such easement.

Notwithstanding the above:

(a) Side Sewers shall not be allowed to cross more than one adjacent parcel of property not owned in fee by the applicant nor extend more than one-hundred (100) feet from the property to be served.

(b) Side Sewers must connect to a Public Sewer within twenty-five (25) feet from the point at which the Side Sewer exits from the property line of the applicant or from the property line of the adjacent parcel.

The Board shall have the discretion to make an exception to the above requirements.

Side Sewers shall be installed in conformance with the then current District Standard Specifications and Drawings.

SECTION 409¹: MATERIAL: All side sewers shall be constructed and installed with an approved type of pipe, depth of

cover, and bedding in conformance with the then current District Standard Specifications and Drawings. The District Manager may permit modifications or may require higher standards where unusual conditions exist.

SECTION 410¹: DEPTH OF SIDE SEWER: All Side Sewers must be placed at a depth approved for the type of pipe as shown in the then current District Standard Specifications and Drawings. The District Manager may permit modifications or may require higher standards where unusual conditions exist.

SECTION 411: CLEAN OUT. Each side sewer shall be provided with a wye clean-out fitting of the same material and placed at the direction of the District Manager or Superintendent.

SECTION 412: PREPARATION OF TRENCH. It shall be the duty of the District employees who are to make or inspect the connection, to examine the trench prepared by the party who has undertaken the side sewer installation. Should they find that the trench is not properly aligned or grade is not sufficient or other faults exist, they shall not make the connection until the trench has been properly prepared and sufficient grade provided.

SECTION 413: BACKFILLING. No connection shall be permitted to be made or continue where any side sewer has been backfilled prior to inspection and approval by the District Inspector.

SECTION 414²⁵: BACKWATER PREVENTION DEVICES: All Side Sewers for new construction shall be equipped with a District-approved backwater prevention device, a check valve or both as deemed appropriate by the District. Any existing Side Sewer that experiences a backup or flood out which occurs by reason of a blockage in the Public Sewer shall be similarly equipped with an approved backwater prevention device, check valve, or both as deemed appropriate by the District. Furthermore, should the District make a determination, based upon, without limitation, observable property conditions, that installation of a backwater prevention device, check valve, or other device is warranted, such device shall be installed, pursuant to the provisions set forth below. In the event that the property owner, after written notice from the District, fails to install the appropriate device(s) within ninety (90) days of such notice, the District shall have the right to install the appropriate backwater preven-

tion device(s) and bill the property owner for the cost thereof. If full payment is not made within sixty (60) days of the date of billing, the property owner shall be in violation of this ordinance, and the District shall have the right to place a lien upon the property or to disconnect the sewer facilities pursuant to Section 805.

If the property owner fails to install such devices after notice from the District and the District does not exercise its right to install the appropriate backwater prevention device(s), the District shall not be responsible for any injury or damage which results from a future backup or flood out.

SECTION 415²: PUMP STATIONS AND COMMUNITY FORCE MAINS: Pump Stations and Community Force Mains shall be permitted only with the approval of the Board in those instances where no feasible alternative exists. Pump Stations and Community Force mains, if approved by the Board, shall be constructed in accord with the criteria set forth in the then current District Standard Specification and Drawings. District review of such a sewer system shall be subject to special design, plan checking and inspection fees to be paid to the District.

For the purposes of this Section, the following definitions shall apply:

PUMP STATION: A self-contained mechanical unit designed to transport sewage under pressure, servicing sewage from a Public Sewer. Pump Stations are owned and operated by District.

COMMUNITY FORCE MAIN: A non-gravity sewer line within a public right-of-way owned and maintained by the District with private sewer ejector pumps connected.

SECTION 416²: PROHIBITED FACILITIES: The following sewer facilities are prohibited:

- 1) Private force mains serving more than one building, except as provided in Section 403.
- 2) A private or public sewer which conveys septic sewage or effluent from one or more septic tank(s) to the District sewer facilities.

**ARTICLE V
PUBLIC SEWER
CONSTRUCTION**

SECTION 500²: PUBLIC SEWER EXTENSION: A Public Sewer Extension shall be required when the development of a vacant parcel or a septic tank conversion

on a developed parcel requires installation of a sewer line extending more than twenty-five (25) feet beyond the point at which the Side Sewer exits from the property line of the parcel it serves or from the property line of the adjacent parcel.

The Board may grant an exception to the above requirements.

Prior to the Board hearing any application for a final approval of a Public Sewer Extension, the applicant must have initial local planning jurisdiction approval or conditional approval required for a project needing the Public Sewer Extension, except for a Public Sewer Extension that is to be installed solely for the purpose of the conversion of an existing inhabited building from septic tank to Public Sewer.

In the event that the District is determined to be the lead agency for the purpose of compliance with the California Environmental Quality Act (CEQA), the Applicant must pay a processing fee of two thousand dollars (\$2,000) to the District. The District shall refund to the applicant the difference between the fee paid and the actual cost to the District of processing the application through the procedures required by CEQA. If the actual cost to the District of processing the application through the procedures required by CEQA exceeds the processing fee, the applicant shall pay to the District said amount. In the event that it is determined that an Environmental Impact Report is required, it shall be the responsibility of the applicant to pay the full cost associated with the preparation, review and consideration of the Environmental Impact Report.

SECTION 501: PERMIT REQUIRED. In accordance with Article VII of this ordinance, no person shall construct, extend or connect to any public sewer without first obtaining a written permit from the District and paying all fees and connection charges and furnishing bonds as required therein. The provisions of this section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenances under contracts awarded and entered into by the District. A permit for work to be performed within the public right of way or public easement shall be issued only to properly licensed contractors. A permit shall not be issued unless the applicant has complied with the requirements for workers compensation coverage set forth in Section 3800 of the California Labor Code and amendments or revisions, which may be adopted thereto.

SECTION 502: PLANS, PROFILES AND

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

SECTION 503¹: SUBDIVISIONS: The requirements of Section 500, 501, 502 of this Ordinance shall be fully complied with before any final subdivision map shall be approved by the Board. The final subdivision map shall provide for the dedication for public use of all streets, easements or right-of-ways in which the Public Sewers are to be constructed. If the final subdivision map of a tract is not completed within the time limit allowed in the permit, the Board may complete the work and take appropriate steps to enforce the provisions of the bond furnished by the subdivider.

SECTION 504: EASEMENTS OR RIGHTS-OF-WAY. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and have accepted by the Board a proper easement or grant of right of way sufficient in law to allow the laying and maintenance of such extension or connection.

SECTION 505: PERSONS AUTHORIZED TO PERFORM WORK. Only properly licensed contractors shall be authorized to perform the work of public sewer construction within the District. All terms and conditions of the permit issued by the District to the applicant shall be binding on the contractor. The requirements of this section shall apply to side sewers installed

concurrently with public sewer construction.

SECTION 506: GRADE STAKES. Grade and line stakes shall be set by a registered civil engineer prior to the start of work on any public sewer construction. The contractor shall be responsible for accurately transferring grades to grade bars and sewer invert.

SECTION 507: COMPLIANCE WITH LOCAL REGULATIONS. Any person constructing a sewer within a street shall comply with all state, county or city laws, ordinances, rules and regulations pertaining to the cutting of pavement, opening, barricading, lighting and protecting of trenches, backfilling and repaving thereof and shall obtain all permits and pay all fees required by the department having jurisdiction prior to the issuance of a permit by the District.

SECTION 508: PROTECTION OF EXCAVATION. The applicant shall maintain such barriers, lights and signs as are necessary to give warning to the public at all times that a sewer is under construction and of each dangerous condition to be encountered as a result thereof. He shall also likewise protect the public in the use of the sidewalk against any such conditions in connection with the construction of the sewer, streets, sidewalks, parkways and other property disturbed in the course of the work shall be reinstalled in a manner satisfactory to the District and the County or any other person having jurisdiction thereover.

SECTION 509: DESIGN AND CONSTRUCTION STANDARDS. Minimum standards for the design and construction of sewers within the District shall be in accordance with the specifications for sewer construction heretofore or hereafter adopted by the District, copies of which are on file in the District's office. The District Manager may permit modifications or may require higher standards where unusual conditions are encountered.

SECTION 510: MARKING. All sewer lateral stubs or sewer laterals in public sewer construction must be located by an "S" mark on the curb or gutter. Where no curb or gutter exists, metal stakes, pipes or rods must be firmly placed showing the location of the lateral or stub.

SECTION 511: DRAWINGS. "As built" drawings showing the actual location of all mains, structures, wye's, laterals and clean-outs shall be filed with the District before final acceptance of the work.

SECTION 512: COMPLETION OF

SEWER REQUIRED. Before any acceptance of any sewer line by the District and prior to the admission of any sewage into the system, the sewer line shall be complete, in full compliance with all requirements of the Specifications for Sewer Construction and to the satisfaction of the District Manager.

**ARTICLE VI
USE OF PUBLIC SEWERS**

SECTION 601: DRAINAGE INTO SANITARY SEWERS PROHIBITED. No leaders from roofs and no surface drains for rain water shall be connected to any sanitary sewer. No surface or sub-surface drainage, rain water, storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter any sanitary sewer by any device or method whatsoever.

SECTION 602: TYPES OF WASTES PROHIBITED. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

- (a) Any liquid or vapor having a temperature higher than 150 F.
- (b) Any water or waste which contains more than 100 parts per million, by weight, of fat, oil or grease.
- (c) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- (d) Any garbage that has not been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.
- (e) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure or any other solid of viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
- (f) Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
- (g) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment process, constitute a hazard to human or animals, or create any

hazard in the receiving waters of the sewage treatment plant.

(h) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.

(i) Any noxious or malodorous gas or substance capable of creating a public nuisance.

(j) Any septic tank sludge.

SECTION 603: INTERCEPTORS REQUIRED. Grease, oil and sand interceptors shall be provided when in the opinion of the Manager, they are necessary for the proper handling of liquid wastes, containing grease in excessive amounts, or any flammable wastes, sand and other harmful ingredients; except that such interceptors shall not be required for buildings used for residential purposes. All interceptors shall be of a type and capacity approved by the Manager and shall be so located as to be readily and easily accessible for cleaning and inspection.

SECTION 604: MAINTENANCE OF INTERCEPTORS. All grease, oil and sand interceptors shall be maintained by the Owner, at his expense, in continuously efficient operation at all times.

SECTION 605: PRELIMINARY TREATMENT OF WASTES. The admission into the public sewers of any waters or wastes having a 5-day Biochemical Oxygen Demand greater than 300 parts per million by weight of suspended solids, or (c) containing any quantity of substance having the characteristics described in Section 602, or (d) having an average daily flow greater than two percent of the average daily sewage flow of the District, shall be subject to the review and approval of the Manager. Where necessary in the opinion of the Manager, the owner shall provide, at his expense, such preliminary treatment as may be necessary to (a) reduce the Biochemical Oxygen Demand to 300 parts per million and the suspended solids to 350 parts per million by weight, or (b) reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 602, or (c) control the quantities and rates or discharge of such waters or wastes. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Manager and of the Water Pollution Control Commission of the State of California and no construction of such facilities shall be commenced until said ap-

provals are obtained in writing.

SECTION 606: MAINTENANCE OF PRE-TREATMENT FACILITIES. Where preliminary treatment facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense.

SECTION 607: CONTROL MANHOLES. When required by the Manager the owner of any property served by a side sewer carrying industrial wastes shall install a suitable control manhole in the side sewer to facilitate observation, sampling and measurement of wastes. Such manhole, when required, shall be accessibly and safely located and shall be constructed in accordance with plans approved by the District Manager. The manhole shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

SECTION 608: MEASUREMENTS AND TESTS. All measurements, tests and analyses of the characteristics of water and wastes to which reference is made in Section 605 shall be determined in accordance with standard methods and shall be determined at the control manhole provided for in Section 607 or upon suitable samples taken at said control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the side sewer is connected.

SECTION 609: SPECIAL AGREEMENTS. No statement contained in this article shall be construed as preventing any special agreement or arrangement between the District and any industrial concern whereby an industrial waste of unusual strength or character may be accepted by the District for treatment, subject to payment therefor by the industrial concern and subject to such terms and conditions as might be required by District.

SECTION 610: SWIMMING POOLS. It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer except in the manner specified herein. The size of pipe carrying discharge water shall not be larger than two inches and shall not be under a head to exceed twenty (20) feet. If the water is discharged by pumping the rate of flow, it shall not exceed one hundred (100) gallons per minute. Each swimming pool discharging to a sanitary sewer shall be equipped with an approved separator to preclude any possibility of a backflow of

sewage into the swimming pool or piping system.

SECTION 611: PROHIBITED WASTES. It shall be unlawful for any person to connect any drain into the public sewer system. Dumping of garbage or septic tank sludge into manholes or sewers is strictly prohibited. It shall be unlawful to discharge any industrial waste or any solid or semi-solid or liquid substances resulting from any industrial manufacturing or commercial process or from any garage, service station or wash rack, into any sewer in the District without first having obtained a permit to do so from the Sanitary Board.

ARTICLE VII PERMITS AND FEES

SECTION 701: PERMIT REQUIRED. No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance or perform any work on any plumbing or drainage system without first obtaining a written permit from the District.

SECTION 702¹: APPLICATION FOR PERMIT: Any person legally entitled to apply for and receive a permit shall make such application on forms provided by the District for that purpose. The applicant shall give a description of the character of the work proposed to be done and the location, ownership, occupancy and use of the premises in connection therewith as well as any other information required by District policy. The District Manager may require plans, specifications or drawings and such other information as may be deemed necessary. Except in those instances when approval from the Board is required, if the District Manager determines that the plans, specifications, drawings, descriptions or information furnished by the applicant are in compliance with ordinances, rules and regulations of the District, the District Manager shall issue the permit applied for upon payment of the required fees as hereinafter fixed.

SECTION 703. COMPLIANCE WITH PERMIT. After approval of the application, evidenced by the issuance of a permit, no change shall be made in the location of the sewer, the grade, materials or other details from those described in the permit or as shown on the plans and specifications for which the permit was issued except with written permission from the District, the Manager or other authorized representatives.

SECTION 704: AGREEMENT. The applicant's signature on an application for any permit as set forth in Article VII hereof shall constitute an agreement to comply with all of the provisions, terms and requirements of this and other ordinances, rules and regulations of the District, and with the plans and specifications he has filed with his application, if any, together with such corrections or modifications as may be made or permitted by the District upon the written request for the alteration from the applicant.

SECTION 705: CLASSES OF PERMITS.

- (a) Residential or commercial
- (b) Multiple residential
- (c) Public sewer extension

SECTION 706³: FEES - RESIDENTIAL OR COMMERCIAL BUILDING SEWERS

A) **CONNECTION FEE:** For each connection of a sewer lateral to a public sewer, a connection fee of five hundred dollars (\$500) shall be paid for each connection of a single family unit, multiple family, commercial or industrial structure containing up to ten (10) fixture units. The fee for each additional fixture unit over ten (10) shall be fifty dollars (\$50) per fixture unit. For each commercial or industrial structure with over two thousand (2,000) square feet of floor space, there shall be an additional charge of twenty cents (\$.20) per square foot for every square foot over two thousand (2,000).

B) **INSPECTION FEE:** An inspection fee of one thousand (\$1,000) shall be paid for each connection of a sewer lateral to a public sewer.

FIXTURE UNIT: A fixture unit is defined as a quantity in terms of which the load producing effects on the plumbing system of different kinds of plumbing fixtures as defined in the 1985 Uniform Plumbing Code.

CONNECTIONS TO PUBLIC SEWER: All connections of a side sewer to the public sewer shall be made by connection to a lateral sewer or stub, by splicing in wye or by "Tap-tite" type of connection into the public sewer if no lateral or stub is available.

C) **SIDE SEWER REPAIR OR REPLACEMENT:** An applicant for a Side Sewer repair or replacement permit shall pay a permit fee of Ninety-Eight Dollars (\$98) to the District, which shall provide for one inspection by District staff of the Side Sewer repair or replacement work. In the event District staff determines that additional inspection(s) of the Side Sewer repair or replacement are required, the applicant shall pay an additional fee of Se-

venty-Five Dollars (\$75) per each additional inspection.

SECTION 707¹: PUBLIC SEWER EXTENSION FEES: An applicant for a Public Sewer Extension Permit shall pay the following fees:

a) Tentative District Approval - Five hundred dollars (\$500.00) which shall be applicable to the fee for Final District Approval.

b) Final District Approval - Five percent (5%) of the District's estimated cost of construction or five hundred dollars (\$500.00), whichever is greater.

SECTION 708⁴: DISPOSITION OF FEES. All fees collected on behalf of the District shall be deposited with the proper authority provided by the District to receive such funds.

SECTION 709³: ALL WORK TO BE INSPECTED. All sewer construction work and building sewers shall be inspected by an inspector acting for the District to insure compliance with all requirements of the District. No sewer shall be covered to any point until it has been inspected and passed for acceptance. No sewer shall be connected to the District's public sewer until the work covered by the permit has been completed, inspected and approved by the District Inspector. Public sewer extensions shall be inspected, tested for deflection, hydrostatically test, cleaned and televised. If all requirements are met and all tests prove satisfactory, the District Inspector shall issue a certificate of satisfactory completion.

SECTION 710: NOTIFICATION. It shall be the duty of the person doing the work authorized by permit to notify the office of the District in writing that said work is ready for inspection. Such notification shall be given not less than twenty-four (24) hours before the work is to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by the District before giving the above notification.

SECTION 711: CONDEMNED WORK When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of the District.

SECTION 712: ALL COSTS PAID BY OWNER. All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the work.

SECTION 713: STREET EXCAVATION PERMIT. A separate permit must be secured from the county, city or any other person having jurisdiction thereover by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

SECTION 714: LIABILITY. The District and its officers, agents and employees shall not be answerable for any liability or injury or death to any person or damage to any property arising during or growing out of the performance of any work by any such applicant. The applicant shall be answerable for, and shall save the District or its officers, agents or employees harmless from any liability imposed by law upon the District or its officers, agents or employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.

SECTION 715: TIME LIMIT ON PERMITS. If work under a permit be not commenced within one (1) year from the date of issuance or if after partial completion of the work be 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 shall have been secured. A new fee shall be paid upon the issuance of said new permit.

**ARTICLE VIII
ENFORCEMENT**

SECTION 801: VIOLATION. Any person violating any provision of this or any other ordinance, rule or regulation of the District, shall be served by the Manager or other authorized person with written notice by mail addressed to the address set forth on the application or to the premises involved stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be not less than two nor more than seven working days. The offender shall, within the period of time stated in such no-

tice, permanently cease all violation. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or any other ordinance, rule or regulation of the District. Upon being notified by the Manager of any defect arising in any sewer or of any violation of this ordinance, the person or persons having charge of said work shall immediately correct the same.

SECTION 802: MISDEMEANOR. A violation of a regulation or ordinance of this District is a misdemeanor punishable by fine not to exceed one thousand dollars (\$1,000.00), imprisonment in the County jail not to exceed thirty (30) days, or both. Each and every violation of the Ordinance or regulations of the District shall be deemed a separate violation and each and every day or part of a day a violation of the Ordinance or regulation continues shall be deemed a separate offense hereunder and shall be punishable as such.

SECTION 803: LIABILITY FOR VIOLATION. Any person violating any of the provisions of the ordinances, rules or regulations of the District shall become liable to the District for any expense, loss or damage occasioned by the District by reason of such violation.

SECTION 804: PUBLIC NUISANCE. Each and every violation of this Ordinance or any section or portion hereof is hereby declared to be a public nuisance.

SECTION 805: ABATEMENT OF PUBLIC NUISANCE. The District Manager may cause a letter to be sent to the address set forth on the application or to the Premises involved in the District forth the facts constituting any violation of this Ordinance on the premises that unless the violation is corrected within the time specified in Section 801 said premises shall be disconnected from the sewage facilities of the District and the matter referred to the Marin County Health Department. If said notice is sent and the corrections are not made within the time limits specified by the District Manager, the District Manager may summarily enter upon the premises and disconnect any side sewers or laterals, which are in violation of this Ordinance from the sewage facilities of the District. All costs of disconnection and any possible future reconnection shall be paid by the owner of the premises or applicant, as the case may be, in the amount fixed by the Board.

**ARTICLE IX
MISCELLANEOUS
PROVISIONS**

SECTION 901: SEPARABILITY. If any section, sub-section, sentence, clause or phrase of this Ordinance or the application thereof to any person or circumstances is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause or phrase thereof irrespective to the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared to be unconstitutional.

SECTION 902: REPEAL OF INCONSISTENT ORDINANCES. Ordinance No. 24 and all parts or portions of any other ordinances of Sanitary District No. 1, which are inconsistent herewith are hereby repealed.

END OF SANITARY CODE

¹ Amended by Ordinance No. 39 on October 5, 1993

² Added by Ordinance No. 39 on October 5, 1993

³ Amended by Ordinance No. 37 on November 5, 1991

⁴ Amended by Ordinance No. 35 on December 8, 1985

⁵ Amended by Ordinance No. 54 on April 2, 2002

⁶ Amended by Ordinance No. 60 on August 25, 2009