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STATE OF NEVADA  
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **09/29/2007 - 10/05/2007**, for exact publication dates please see last line of Proof of Publication below.

Signed: *Linda Anderson*

**OCT 5 2007**

Subscribed and sworn to before me



**TANA CICCOTTI**  
Notary Public - State of Nevada  
Appointment Recorded in Washoe County  
No: 02-75259-2 - Expires May 16, 2010

*Tana Ciccotti*

**Proof of Publication**

NOTICE OF ADOPTION WASHOE COUNTY ORDINANCE NO. 1344 NOTICE IS HEREBY GIVEN THAT: Bill No. 1523, Ordinance No. 1344 entitled: An Ordinance amending the Washoe County Schedule of Rates and Charges for Provision of Sanitary Sewer Service within certain areas of Washoe County; adding provisions to allow a connection fee surcharge for properties previously served by the Verdi Meadows Utility Company, LLC (VMUC) now being connected to the Lawton Verdi Sewer Interceptor; removing the Senior Citizen's Discount Program; and providing other procedural changes. This Ordinance repeals Ordinance No. 1274. (Bill No. 1523) PUBLIC NOTICE IS HEREBY GIVEN that an adequate number of typewritten copies of the above-numbered and entitled Ordinance are available for public inspection and distribution at the office of the County Clerk of Washoe County, at her office in the County Courthouse in Reno, Nevada, 75 Court Street, Reno, Washoe County, Nevada; and can be found on the County Clerk's web-site, [www.washoecounty.us/clerks](http://www.washoecounty.us/clerks). Such Ordinance was proposed on August 21, 2007, and passed and adopted at a regular meeting of the Washoe County Board of County Commissioners on September 25, 2007, by the following vote of the Board of County Commissioners: Those Voting Aye: Jim Galloway Robert M. Larkin Bonnie Weber, David Humke Kitty Jung Those Voting Nay: None Those Absent: None This

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ordinance shall be in full force and effect from and after October 5, 2007, i.e., the date of the second publication of such ordinance by its title only. IN WITNESS WHEREOF, The Board of County Commissioners of Washoe County, Nevada, has caused this ordinance to be published by title only. AMY HARVEY, Washoe County Clerk and Clerk of the Board of County Commissioners No. 488150 Sept. 29, Oct. 5, 2007

**SUMMARY: Amends the Washoe County Schedule of Rates and Charges and Pretreatment Program for Sanitary Sewer Service within certain areas of Washoe County and provides procedures for its enforcement. Repeals sewer rate Ordinance No. 1274**

BILL NO. 1523

ORDINANCE NO. 1344

**AN ORDINANCE AMENDING THE WASHOE COUNTY SCHEDULE OF RATES AND CHARGES FOR PROVISION OF SANITARY SEWER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; ADDING PROVISIONS TO ALLOW A CONNECTION FEE SURCHARGE FOR PROPERTIES PREVIOUSLY SERVED BY THE VERDI MEADOWS UTILITY COMPANY, LLC (VMUC) NOW BEING CONNECTED TO THE LAWTON VERDI SEWER INTERCEPTOR; REMOVING THE SENIOR CITIZEN'S DISCOUNT PROGRAM; AND PROVIDING OTHER PROCEDURAL CHANGES. THIS ORDINANCE REPEALS ORDINANCE NO. 1274.**

Adopted September 25, 2007

WASHOE COUNTY SEWER SERVICE ORDINANCE  
 SCHEDULE OF RATES AND CHARGES  
 AND PRETREATMENT PROGRAM  
TABLE OF CONTENTS

	Page
ARTICLE 1. GENERAL PROVISIONS.....	7
1.1 Short Title.....	7
1.2 Enabling Statutes.....	7
1.3 Enterprise.....	7
1.4 Severability.....	7
1.5 Relief on Application.....	7
1.6 Relief on Own Motion.....	7
1.7 Review by the Board.....	7
1.8 Words and Phrases.....	7
1.9 Billing Authority.....	7
1.10 Clean Water Act.....	7
 ARTICLE 2. DEFINITIONS.....	 8
2.1 Account Transfer.....	8
2.2 Act.....	8
2.3 Additional Terms.....	8
2.4 Apartment House.....	8
2.5 Applicant.....	8
2.6 Application.....	8
2.7 Billing Period.....	8
2.8 Biochemical Oxygen Demand (BOD).....	8
2.9 Board.....	8
2.10 Building.....	8
2.11 Building Drain.....	8
2.12 Building Sewer.....	8
2.13 Capital Costs.....	8
2.14 Capital Outlays.....	8
2.15 Capitalization Charge.....	8
2.16 Casino.....	8
2.17 Chemical Oxygen Demand (COD).....	8
2.18 Collection System.....	8
2.19 Combined Sewer.....	9
2.20 Commercial Building.....	9
2.21 Commercial User.....	9
2.22 Compatible Pollutant.....	9
2.23 Connection Charge.....	9
2.24 Contractor.....	9
2.25 County.....	9
2.26 Cubic Foot.....	9
2.27 Customer.....	9
2.28 Date of Presentation.....	9
2.29 Delinquent.....	9
2.30 Developer.....	9
2.31 Development.....	9
2.32 Director.....	9
2.33 Discharge.....	9
2.34 Discharger.....	9
2.35 Domestic Wastewater.....	9
2.36 Dry Cleaning.....	9
2.37 Dwelling Units.....	9
2.38 Easement.....	9
2.39 Employee.....	10
2.40 Environmental Protection Agency.....	10
2.41 Fixture.....	10
2.42 Fixture Unit.....	10

2.43	Floatable Oil.....	10
2.44	Gallon .....	10
2.45	Garbage .....	10
2.46	Geothermal Water.....	10
2.47	Governmental User .....	10
2.48	Hotel .....	10
2.49	Incompatible Pollutant .....	10
2.50	Industrial/Commercial Discharger.....	10
2.51	Industrial User.....	10
2.52	Infiltration.....	10
2.53	Inflow .....	10
2.54	Inspector and Industrial Waste Inspector.....	10
2.55	Institutional User .....	10
2.56	Interceptor .....	11
2.57	Interference.....	11
2.58	Lateral Sewer.....	11
2.59	Law .....	11
2.60	Living Unit.....	11
2.61	Main Sewer .....	11
2.62	May .....	11
2.63	Metered Service .....	11
2.64	Mobile Home .....	11
2.65	Mobile Home Estate.....	11
2.66	Mobile Home Park.....	11
2.67	Motel .....	11
2.68	Multiple-family Residential Unit.....	11
2.69	National Categorical Pretreatment Standard.....	11
2.70	National Prohibitive Discharge Standard .....	11
2.71	National Pollution Discharge Elimination System .....	11
2.72	Natural Outlet.....	11
2.73	New Source .....	11
2.74	Nitrogen or Total Nitrogen .....	12
2.75	Normal Domestic Wastewater .....	12
2.76	Officer .....	12
2.77	Operation and Maintenance .....	12
2.78	Outside Sewer .....	12
2.79	Owner .....	12
2.80	Pass-through.....	12
2.81	PCE .....	12
2.82	Permanent Service.....	12
2.83	Permit .....	12
2.84	Permitted Facility .....	12
2.85	Person .....	12
2.86	pH .....	12
2.87	Phosphorus or Total Phosphorus .....	13
2.88	Plant .....	13
2.89	Plumbing Outlet .....	13
2.90	Plumbing System.....	13
2.91	Pollutant .....	13
2.92	Pollution .....	13
2.93	POTW .....	13
2.94	Premises .....	13
2.95	Pretreatment .....	13
2.96	Private Industrial/Commercial .....	13
2.97	Private Sewer.....	13
2.98	Properly Shredded Garbage .....	13
2.99	Public Industrial/Commercial .....	13
2.100	Public Sewer.....	13
2.101	Recreational Vehicle Park.....	13
2.102	Replacement.....	14

2.103	Residential Equivalent .....	14
2.104	Residential User .....	14
2.105	Rooming House or Dormitory .....	14
2.106	Sanitary Sewer .....	14
2.107	Septic Tank Effluent .....	14
2.108	Service Area .....	14
2.109	Service Classification .....	14
2.110	Service Connection .....	14
2.111	Sewage .....	14
2.112	Sewer .....	14
2.113	Shall .....	14
2.114	Side Sewer .....	14
2.115	Single-family Dwelling .....	14
2.116	Sludge .....	14
2.117	Standard Methods .....	15
2.118	Storm Sewer or Storm Drain .....	15
2.119	Stormwater .....	15
2.120	Stormwater Facilities .....	15
2.121	Surcharge .....	15
2.122	Suspended Solids .....	15
2.123	Tenant .....	15
2.124	Total Dissolved Solids (TDS) .....	15
2.125	Total Inorganic Nitrogen .....	15
2.126	Total Phosphate .....	15
2.127	Treatment Works .....	15
2.128	Unpolluted Water .....	15
2.129	Useful Life .....	15
2.130	User .....	15
2.131	User Charge .....	15
2.132	Waste .....	16
2.133	Wastewater .....	16
2.134	Wastewater Facilities .....	16
2.135	Wastewater Treatment Unit .....	16
2.136	Wastewater Treatment Works .....	16
2.137	Watercourse .....	16
2.138	Water Meter .....	16
ARTICLE 3. CONDITIONS OF SERVICE .....		16
3.1	Area Served .....	16
3.2	Mandatory Connections .....	16
3.3	Septic Tank Use .....	16
3.4	Penalty for Violation .....	16
3.5	Ruling Final .....	16
3.6	Notices to Customers .....	17
3.7	Notices from Customers .....	17
3.8	Adjustment of Complaints .....	17
3.9	Customer's Premises .....	17
3.10	Special Conditions .....	17
3.11	Effective Date .....	17
3.12	Continuity .....	17
ARTICLE 4. CONDITIONS OF EPA PARTICIPATION .....		17
4.1	Revenue .....	17
4.2	Year-End Balances .....	17
4.3	EPA Requirements .....	17
4.4	User Charge Rate .....	17
4.5	Commercial and Industrial Rates .....	18
4.6	Amendments to Sewer Use Ordinance .....	18
4.7	Precedence .....	18

ARTICLE 5. SCHEDULE OF RATES AND CHARGES.....	18
5.1 User Charges .....	18
5.2 All County Service Areas .....	18
5.3 User Charge System Based on Actual Use .....	20
5.4 Treatment and Interceptor Cost Adjustment.....	20
5.5 Standby Fee .....	20
5.6 Rate Adjustments.....	21
ARTICLE 6. OTHER CHARGES, FEES AND DEPOSITS .....	21
6.1 Connection Charges.....	21
6.2 Work to be Inspected.....	21
6.3 Wastewater Inspection Certificate and Monitoring Fees .....	21
6.4 Inspection and Plan Check Fee.....	22
6.5 Structure Under Construction .....	22
6.6 Review of Sewer User Charges .....	22
6.7 Charge for Operation and Maintenance Costs for Extraneous Flows .....	22
6.8 Public Agencies Exempted from Deposit Requirements .....	22
6.9 Delinquent Accounts .....	22
6.10 Damage to County Property .....	22
6.11 Charges for Account Transfer and Special Reading.....	22
6.12 Connection Charge Payable for Limited Portions of the Double Diamond Ranch Connecting to the Steamboat Creek Interceptor .....	22
6.13 Connection Charge Payable for Certain Portions of the Unincorporated Area of the County .....	23
6.14 Connection Charge payable for Certain Portions of the Unincorporated Area of the County connecting to the Mount Rose Sewer Interceptor .....	23
ARTICLE 7. TIME AND MANNER OF PAYMENT .....	23
7.1 Issuance of Bills .....	23
7.2 Bills Due When Presented.....	23
7.3 Delinquent Accounts .....	23
7.4 Discontinuance of Service .....	23
7.5 Represents Lien on Property.....	23
7.6 Collection by Suit.....	23
7.7 Proration of Service Charges; Minimum Bill .....	23
7.8 Failure to Receive a Bill .....	23
7.9 Checks Not Honored by Bank .....	23
7.10 Responsible Party .....	24
7.11 Disputed Bills .....	24
7.12 Failure to Make Deposit .....	24
7.13 Arbitration of Dispute.....	24
7.14 Deferred Payment.....	24
7.15 Failure to Make Payment for Fines and Charges for Citation Notice .....	24
7.16 Disregard of Wastewater Discharge Warnings .....	24
ARTICLE 8. APPLICATION FOR SERVICE.....	24
8.1 Existing Service Connection.....	24
8.2 New Service.....	24
8.3 Correct Information .....	25
8.4 Rejection of Application.....	25
8.5 Service Outside Service Area Boundary.....	25
8.6 Design, Construction of New Connections, Inflow Sources .....	25
8.7 Prohibition Against Altering Connections .....	25
8.8 Prohibition of Connection of Inflow Sources .....	25
ARTICLE 9. TERMINATION OF SERVICE.....	25
9.1 Customer's Request for Termination of Service.....	25
9.2 Termination of Service by County.....	25
9.3 Restoration of Service .....	26
9.4 Refusal to Serve.....	26

ARTICLE 10. REGULATION OF WASTEWATER DISCHARGE .....	27
10.1 Purpose and Policy .....	27
10.2 Administration .....	27
10.3 Dischargers Subject to These Regulation .....	27
ARTICLE 11. WASTEWATER REGULATIONS .....	27
11.1 Discharges Prohibited from Sanitary Sewers .....	27
11.2 Administration .....	28
11.3 Prohibition on Unpolluted Water .....	28
11.4 Exclusions from Storm Sewers and Drains .....	29
11.5 Exclusions from Sanitary Sewers .....	29
11.6 Septic Tank Waste .....	29
11.7 Limitations on the Use of Garbage Grinders, and Required Use of Grease Traps and Interceptors .....	29
11.8 Limitations on Point of Discharge .....	29
11.9 Limitations on Wastewater Strength .....	29
11.10 Revision of Wastewater Regulations .....	30
11.11 Accidental Spill/Discharge .....	31
11.12 Excessive Discharge .....	31
11.13 Cooling Water .....	31
11.14 Industrial/Commercial Process Water .....	31
11.15 Identification of Process Chemicals .....	31
11.16 Use of Onsite Septic Disposal Systems Prohibited .....	31
ARTICLE 12. WASTEWATER INSPECTION CERTIFICATES .....	32
12.1 Certificate for Industrial/Commercial Dischargers .....	32
12.2 Certificate Application .....	33
12.3 Terms and Conditions .....	33
12.4 Trade Secrets .....	35
12.5 Monitoring Facilities, Reports and Access by Industrial Waste Inspector .....	35
12.6 Inspection .....	35
12.7 Pretreatment of Sewage .....	35
12.8 Monitoring Equipment Construction and Report Requirements .....	36
12.9 Compliance Inspection and Monitoring Program for PCE Using Industrial Commercial Facilities .....	37
12.10 Standards for Dry Cleaning Facilities .....	38
ARTICLE 13. ENFORCEMENT .....	40
13.1 Enforcement Authority .....	40
13.2 Violation Notice .....	40
13.3 Cease and Desist Order .....	40
13.4 Enforcement Procedures .....	40
13.5 Appeals .....	40
13.6 Damage to Facilities .....	41
13.7 Indemnity .....	41
13.8 Termination of Service .....	41
13.9 Falsifying of Information .....	41
13.10 Penalty .....	41
ARTICLE 14. VALIDATION OF ACTIONS .....	41
ARTICLE 15. SERVICE AREAS .....	42
15.1 Intention .....	42
15.2 Service Areas .....	42



THE BOARD OF WASHOE COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE  
DO ORDAIN:

ARTICLE 1. GENERAL PROVISIONS

- 1.1 Short Title. This Ordinance shall be known and may be cited as the Washoe County Schedule of Rates and Charges, Pretreatment Program, and PCE Monitoring Program for Sanitary Sewer Service.
- 1.2 Enabling Statutes. This Ordinance is adopted pursuant to NRS 244.157.
- 1.3 Enterprise. The County will furnish systems used for the collection of domestic and industrial wastewater and septic tank effluent, including all parts of the enterprise, all appurtenances thereto, and land, easements, rights in land, contract rights and franchises.
- 1.4 Severability. If any section, subsection, sentence, clause or phrase of this Ordinance or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this Ordinance or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared to be unconstitutional.
- 1.5 Relief on Application. After consideration by the Director as provided in Section 3.8, if 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, they 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 their 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.
- 1.6 Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any special provision of this regulation and Ordinance should be suspended or modified as applied to a particular premises and may, by resolution, order such suspension or modification for any such premises during the period of such special circumstances, or any part thereof.
- 1.7 Review by the Board. This Ordinance shall be reviewed by the Board not less than every two years to ensure that the provisions of this Ordinance are kept up to date, and that the charges and fees set out in Articles 5 and 6 of this Ordinance are adequate to meet the costs of operating the sanitary sewer facilities.
- 1.8 Words and Phrases. For the purposes of this Ordinance, all words used herein in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number.
- 1.9 Billing Authority. The County shall send out bills for sewer service used for which no payment has been received. The application of payments shall be applied in the following order: (1) miscellaneous charges and late fees, (2) sewer service fees, (3) reclaimed water fees and (4) domestic water fees.
- 1.10 Clean Water Act. This Ordinance shall take precedence over any items or conditions of agreements or contracts which are inconsistent with the requirements of Section 204 (b) (1) of the Clean Water Act and 40 CFR 35.2140.

## ARTICLE 2. DEFINITIONS

- 2.1 Account Transfer shall mean any change made to a billing account, including but not limited to new ownership or new tenancy.
- 2.2 Act shall mean the Federal Water Pollution Control Act, as amended (33 U.S.C.A. 1251, et seq.).
- 2.3 Additional Terms shall have their meanings indicated in Chapter 1 of the latest edition of the Uniform Plumbing Code as prepared by the International Association of Plumbing and Mechanical Officials.
- 2.4 Apartment House shall mean the same as “multiple-family residential units.”
- 2.5 Applicant shall mean the person, business or governmental agency making application for a permit for sewer or plumbing installation or to discharge wastewater into any sewer.
- 2.6 Application shall be a written request for sewer service as distinguished from an inquiry as to the availability of, or charges for, such service.
- 2.7 Billing Period shall be the period for which a billing is made. It may be for an average month and need not coincide with the calendar month (i.e., may be billed on a cycle of 29 to 31 days).
- 2.8 Biochemical Oxygen Demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C, expressed in milligrams per liter (mg/L).
- 2.9 Board shall mean the Board of County Commissioners.
- 2.10 Building shall mean any structure used for human habitation or a place of business, recreation or other purpose requiring wastewater disposal services.
- 2.11 Building Drain shall mean that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the building sewer. The building drain extends three (3) feet outside the inner face of the building wall.
- 2.12 Building Sewer shall mean that portion of any sewer beginning at the building drain and extending to the property line or to a private sewage disposal system.
- 2.13 Capital Costs shall mean costs of major rehabilitation, expansion or upgrading required as facilities reach the end of their useful life.
- 2.14 Capital Outlays shall mean expenditures which result in the acquisition of, or addition to, fixed or capital assets.
- 2.15 Capitalization Charge shall mean the charge to sewer system customers to produce revenues to retire outstanding indebtedness and maintain reserve accounts for capital improvements to the sewer system, and other such non-operating, maintenance and replacement items as the Board may specify.
- 2.16 Casino shall mean a place where games of chance or gambling devices are made available for play by the public and is associated with a hotel or is a separate establishment. Businesses with fewer than 20 slot machines are not to be classified as a casino.
- 2.17 Chemical Oxygen Demand (COD) shall mean the measure of the amount of oxygen required to oxidize organic and oxidizable inorganic compounds in domestic or industrial wastewater as determined by the appropriate procedure in “Standard Methods.”
- 2.18 Collection System shall mean the system of sewers, manholes, pump stations and appurtenances receiving liquid wastes from buildings and premises for transmission to the treatment facility.

- 2.19 Combined Sewer shall mean a sewer intended to receive both surface runoff and sewage.
- 2.20 Commercial Building shall mean any building, structure or facility or a portion thereof devoted to the purpose of trade or commerce, such as a store or office building.
- 2.21 Commercial User shall mean all retail stores, restaurants, office buildings, laundries, and other private business and service establishments.
- 2.22 Compatible Pollutant shall mean BOD, COD, suspended solids, pH, total phosphorus, total nitrogen, and fecal coliform bacteria, plus additional pollutants identified in the POTW National Pollutant Discharge Elimination System (NPDES) permit if the treatment works were designed to treat such pollutants, and in fact do remove such pollutants to an acceptable concentration or loading.
- 2.23 Connection Charge shall mean a fee charged in order to equalize the investment in sewer plant equipment and related facilities made by the County. The charge is applied to all new users of sewer facilities in approximate proportion to their anticipated usage and is for the right of service in the system.
- 2.24 Contractor shall mean an individual, firm, corporation, partnership or association duly licensed by the State of Nevada to perform the type of work to be done under the Permit.
- 2.25 County shall mean the County of Washoe, Nevada.
- 2.26 Cubic Foot is the volume of water which occupies one cubic foot. A cubic foot is equal to 7.481 gallons.
- 2.27 Customer shall mean the person in whose name service is rendered as evidenced by his signature on the application or contract for that service or, in the absence of a signed instrument, by the receipt and payment of bills regularly issued in his name regardless of the identity of the actual user of the service.
- 2.28 Date of Presentation shall be the date upon which a bill or notice is either postmarked or hand-delivered to the Customer.
- 2.29 Delinquent shall mean an account that has not been paid by next billing cycle following the date of issuance of a specific bill.
- 2.30 Developer shall mean any person engaged in or proposing development of property.
- 2.31 Development shall mean a parcel of property being improved and requiring installation of sewer collection lines to and possibly on the property being improved.
- 2.32 Director shall mean the Director of the Department of Water Resources or his duly authorized representative.
- 2.33 Discharge shall mean the addition of any substance to the sewer system.
- 2.34 Discharger shall mean any person who discharges or causes a discharge to a public sewer.
- 2.35 Domestic Wastewater shall mean the spent water from building water supply to which has been added the waste materials of bathroom, kitchen and laundry.
- 2.36 Dry Cleaner shall mean an industrial commercial facility wherein garments and other fabric items are cleaned using predominantly chemical solvents rather than water.
- 2.37 Dwelling Units shall mean a building or a portion thereof designed and/or used to house not more than one family, including necessary employees of each such family.
- 2.38 Easement shall mean an acquired legal right for the specific use of land owned by others.

- 2.39 Employee shall mean any individual employed by the County excluding independent contractors, consultants, and their employees.
- 2.40 Environmental Protection Agency, or EPA, shall mean the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the administrator or other duly authorized official of said agency.
- 2.41 Fixture shall mean any sink, tub, shower, water closet or other facility connected by drain to the sewer.
- 2.42 Fixture Unit is defined and has that weighted value assigned in the latest edition of the Uniform Plumbing Code.
- 2.43 Floatable Oil is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by pretreatment in an approved pretreatment facility. Wastewater shall be considered free of floatable oil if it is properly pretreated and does not interfere with the collection system.
- 2.44 Gallon is the volume of water which occupies 231 cubic inches.
- 2.45 Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.
- 2.46 Geothermal Water shall mean water heated naturally by the earth and all dissolved or entrained minerals contained therein.
- 2.47 Governmental User shall include legislative, judicial, administrative, and regulatory activities of Federal, State and local governments.
- 2.48 Hotel shall mean a building occupied or intended to be occupied for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere, with interior hall and lobby, and with access to each room from such interior hall or lobby.
- 2.49 Incompatible Pollutant shall mean any pollutant which is not a compatible pollutant as defined in this chapter.
- 2.50 Industrial/Commercial Discharger shall mean a discharger with water-carried waste and wastewater other than wastewater from domestic sources, and shall include all wastewater from any producing, manufacturing, processing, institutional, commercial, agricultural, or other operation where the wastewater discharged includes quantities of waste from human and nonhuman origin.
- 2.51 Industrial User shall include any non-governmental, non-residential user of publicly owned treatment works which is identified in the Standard Industrial Classification Manual, 1972, Office of Management and Budget, as amended and supplemented, under the following divisions: Division A-Agriculture, Forestry, and Fishing; Division B-Mining; Division D-Manufacturing; Division E-Transportation, Communications, Electric, Gas and Sanitary; and Division I-Services.
- 2.52 Infiltration shall mean the water which enters the sewer lines from the ground, usually through pipe and manhole joints.
- 2.53 Inflow shall mean the water discharged into the wastewater system from such sources as, but not limited to, roof leaders, cellar, yard and area drains, foundation drains, drains from springs, manhole covers, cross-connections from storm sewers and combined sewers, and surface runoff.
- 2.54 Inspector and Industrial Waste Inspector shall mean a person authorized by the Department of Water Resources to inspect wastewater generation, conveyance, processing and disposal facilities.
- 2.55 Institutional User shall include social, charitable, religious, and educational activities such as schools, churches, hospitals, nursing homes, penal institutions and similar institutional users.

- 2.56 Interceptor shall mean a sewer that receives dry-weather flow from a number of transverse sewers or outlets and conducts such waters to a point for treatment or disposal.
- 2.57 Interference shall mean inhibition or disruption of the wastewater facilities treatment processes or operations which contribute to a violation of any requirements of the POTW NPDES permit. The term includes prevention of sewage sludge use or disposal of the POTW in accordance with Section 405 of the Act, or any criteria guidelines or regulations developed pursuant to the Solid Waste Disposal Act (SWDA), the Clean Air Act, the Toxic Substances Control Act, or more stringent state criteria (including those contained in any state sludge management plan prepared pursuant to Title IV of SWDA) applicable to the method of disposal or use employed by the POTW.
- 2.58 Lateral Sewer shall mean the portion of a public sewer lying within a public street connecting a building sewer to the main sewer.
- 2.59 Law is any statute, rule or regulation established by Federal, State, County or Municipal authorities.
- 2.60 Living Unit shall mean any residence, apartment, or other structure to be occupied for habitational purposes by a single person or family and requiring sanitary sewer service.
- 2.61 Main Sewer shall mean a public sewer designed to accommodate more than one lateral sewer.
- 2.62 May is permissive (see "Shall," Sec. 2.110).
- 2.63 Metered Service is a service for which charges are computed on the basis of measured quantities of water or wastewater.
- 2.64 Mobile Home shall mean a structure, intended for use as a single-family dwelling, eight feet or greater in width and 28 feet or greater in length, designed to be moveable but not self-motive.
- 2.65 Mobile Home Estate shall mean a lot or parcel of land upon which there can be placed a single mobile home for occupancy as a single-family dwelling.
- 2.66 Mobile Home Park shall mean a parcel or tract of land having as its principal use the rental, leasing, or occupancy of space by two or more mobile homes on a permanent or semipermanent basis, including accessory buildings, or uses customarily incidental thereto.
- 2.67 Motel shall mean a building occupied or intended to be occupied, for compensation, as the temporary residence for transient guests, primarily persons who have residence elsewhere, with access to each room or unit from an outside porch or landing and with accessible parking spaces on or near the premises under the same ownership.
- 2.68 Multiple-family Residential Unit shall mean a building designed and/or used to house two or more families, living independently of each other, including necessary employees of each such family and which includes units which may have shared kitchen facilities.
- 2.69 National Categorical Pretreatment Standard, or Pretreatment Standard, shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317) which applies to a specific category of Industrial Users.
- 2.70 National Prohibitive Discharge Standard, or Prohibitive Discharge Standard, shall mean any regulation developed under the authority of Section 307(b) of the Act and 40 CFR, Section 403.5.
- 2.71 National Pollution Discharge Elimination System of NPDES Permit shall mean a permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).
- 2.72 Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.
- 2.73 New Source shall mean any building, structure, facility or installation from which there is or may be a discharge or pollutants, the construction of which is commenced after the publication of the proposed

regulations prescribing a section 307(c) (33 U.S.C. 1317) Categorical Pretreatment Standard which will be applicable to such source, if such standard is thereafter promulgated in accordance with that section, provided that:

- A. The construction is at the site at which no other source is located; or
  - B. The construction totally replaces an existing source; or
  - C. The production of wastewater generating processes of the construction are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
- 2.74 Nitrogen or Total Nitrogen shall mean the total of all nitrogen forms, including organic and inorganic nitrogen, nitrite and nitrate. The total nitrogen is expressed as N and is determined by the appropriate procedures in "Standard Methods."
- 2.75 Normal Domestic Wastewater shall mean wastewater that has a five-day average BOD concentration of not more than 240 mg/L, a suspended solids concentration of not more than 170 mg/L, a total phosphorous concentration as P of not more than 11.0 mg/L, and a total nitrogen concentration as N of not more than 26.0 mg/L.
- 2.76 Officer and environmental control officer shall mean a person authorized by the "director" to inspect wastewater generation, conveyance, processing and disposal facilities.
- 2.77 Operation and Maintenance shall mean those functions that result in expenditures during the useful life of the treatment works for materials, labor, utilities and other items which are necessary for managing and maintaining the sewage works to achieve the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement as defined in Article 2, Section 2.74, of this Ordinance.
- 2.78 Outside Sewer shall mean a sanitary sewer beyond the limits of the Sewer Service Area not subject to the control or jurisdiction of the County.
- 2.79 Owner shall mean a person who holds legal title to the property or who is under contract to purchase the property.
- 2.80 Pass-through shall mean a discharge through the POTW to waters which, along or in conjunction with discharges from other sources, causes a violation of a POTW's NPDES permit, or which causes water quality standards established by the State or EPA to be exceeded.
- 2.81 PCE shall mean tetrachloroethene, C<sub>2</sub>Cl<sub>4</sub>, or perc, a chlorinated solvent.
- 2.82 Permanent Service is a service which, in the opinion of the Department of Water Resources, is of a permanent and established character. The use of the sewer may be continuous, intermittent or seasonal in nature.
- 2.83 Permit shall mean any written authorization required pursuant to this or any other regulation of the service area for the installation or operation of any wastewater works.
- 2.84 Permitted Facility shall mean any facility holding a Wastewater Inspection Certificate.
- 2.85 Person shall mean any individual, firm, association, organization, partnership, trust, company, corporation or entity, and any municipal, political, or governmental corporation, district, body, or agency other than the County.
- 2.86 pH shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of 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<sup>-7</sup>.

- 2.87 Phosphorus or Total Phosphorus includes orthophosphates and condensed phosphates (soluble and insoluble) and organic and inorganic species. The total phosphorus is expressed as P and is determined by the appropriate procedures in "Standard Methods."
- 2.88 Plant shall mean the wastewater treatment plant.
- 2.89 Plumbing Outlet shall mean any part of a plumbing system to which a fixture is attached.
- 2.90 Plumbing System shall mean all plumbing fixtures and traps; all soil, waste, vent pipes, and all sanitary sewer pipes within a building and building drain.
- 2.91 Pollutant shall mean any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural waste discharged into water.
- 2.92 Pollution shall mean the man-made or man-induced alteration of the chemical, physical, biological, and radiological integrity of water.
- 2.93 POTW shall mean "Publicly Owned Treatment Works" and refers to the Reno-Sparks Wastewater Treatment Facility, Lemmon Valley Sewage Treatment Plant, South Truckee Meadows Treatment Facility, Cold Springs Treatment Plant, or any other publicly owned treatment works.
- 2.94 Premises shall mean all of the real property and services to a single integrated activity operating under one name to one or more buildings, locations or services, provided: (a) such building, locations or services are to a single unit of property; or (b) such buildings, locations or services are on two or more units of property immediately adjoining, except for intervening public highways, streets, alleys or waterways.
- 2.95 Pretreatment, or treatment, shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration can be obtained by physical, chemical or biological processes, or process changes by other means, except as prohibited by 40 CFR Section 403.6(d).
- 2.96 Private Industrial/Commercial shall mean any plumbing or plumbing fixtures located in private bathrooms in hotels, motels and hospitals, and/or plumbing fixtures in "industrial/commercial discharger" establishments solely designated for employee use and any use by a person or persons other than an employee must be by special permission.
- 2.97 Private Sewer shall mean a sewer serving an independent wastewater disposal system not connected with a public sewer and which accommodates one or more buildings or industries.
- 2.98 Properly Shredded Garbage shall mean garbage that has 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 1/2 inch in any direction.
- 2.99 Public Industrial/Commercial shall mean any plumbing or plumbing fixtures, the use of which is open to the public, or which is used by the public without special permission or invitation. It includes but is not limited to fixtures open to the public and fixtures required for the industrial/commercial operation located in casinos, restaurants, cocktail loungers, public buildings, comfort stations, gymnasiums, railroad and bus stations, and similar establishments.
- 2.100 Public Sewer shall mean a sewer lying within a public highway, road, street, avenue, alley, way, public place, public easement or right of way and which is controlled by or under the jurisdiction of the County.
- 2.101 Recreational Vehicle Park shall mean a parcel or tract of land having as its principal use the transient rental or occupancy of space by two or more recreational vehicles, including accessory buildings, structures or uses customarily incidental thereto.

- 2.102 Replacement shall mean expenditures for obtaining and installing equipment, accessories or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
- 2.103 Residential Equivalent shall mean 25 weighted fixture units as defined in the latest edition of the Uniform Plumbing Code.
- 2.104 Residential User shall mean any contributor to the County's treatment works whose lot, parcel or real estate, or building is used for domestic dwelling purposes only.
- 2.105 Rooming House or Dormitory shall mean a room or rooms that are used for sleeping, with a bathroom or common bathroom accommodations, and may or may not have shared kitchen facilities and may or may not have a managerial apartment. This section is not to be defined as a "single-family dwelling" or as a "multiple-family residential unit."
- 2.106 Sanitary Sewer shall mean a sewer which carries liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.
- 2.107 Septic Tank Effluent shall mean the supernatant liquid waste discharged by an approved septic tank, containing no solid waste material.
- 2.108 Service Area shall mean the Washoe County Sewer Service Area as designated in Article 14 of this Ordinance.
- 2.109 Service Classification shall mean:
- A. Commercial Unit - Group I Service: Service to office buildings, private clubs, motels or hotels, or portions thereof, without kitchen, laundry or other facilities (excepting toilet facilities) which require wastewater disposal services.
  - B. Commercial Unit - Group II Service: Service to all commercial buildings not in Group I, or portions thereof, and shall include but not be limited to, department stores, restaurants, clubs and schools.
  - C. Industrial Service: Service to customers engaged in a process which creates or changes raw or unfinished materials into another form or product (factories, mills, machine shops, mines, pumping plants, creameries, canning and packing plants, or processing activities).
  - D. Residential Service: Service to a customer in a single-family dwelling, mobile home or building, or in an individual flat, condominium, or apartment in a multiple-family dwelling, or building or portion thereof occupied as the home, residence or sleeping place of one or more persons.
- 2.110 Service Connection is the point of connection of the customer's piping with the County's facilities.
- 2.111 Sewage is the spent water of a community. The preferred term is "Wastewater" (Sec. 2.97).
- 2.112 Sewer shall mean a pipe or conduit that carries wastewater.
- 2.113 Shall is mandatory (see "May," Sec. 2.61).
- 2.114 Side Sewer shall mean the sewer line beginning three (3) feet outside the foundation wall of any building and terminating at the main sewer and shall include the building sewer and lateral sewer together.
- 2.115 Single-family Dwelling shall mean a building designed and/or used to house not more than one family, including necessary employees of such family.
- 2.116 Sludge shall mean any discharge of water or wastewater which, in concentration of any given constituent or in quantity of flow, exceeds, for any period longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation, and which shall adversely



affect the collection system and/or performance of the wastewater treatment works as determined by the Department of Water Resources.

- 2.117 Standard Methods refers to the most current edition of "Standard Methods for the Examination of Water and Wastewater," prepared by American Public Health Association, American Water Works Association and Water Pollution Control Federation.
- 2.118 Storm Sewer or Storm Drain shall mean a sewer which carries storm water, groundwater, subsurface water, or unpolluted water from any source.
- 2.119 Stormwater shall mean excess water entering sewers during rainfall, snowfall, or following and resulting therefrom.
- 2.120 Stormwater Facilities shall mean catch basins, drop inlets, drains, and gutters, discharging from piping, ditches or combined sewers and designed to remove stormwater runoff.
- 2.121 Surcharge shall mean an additional charge to an "industrial/commercial discharger" whose discharge waste strength is in excess of local "domestic wastewater."
- 2.122 Suspended Solids shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.
- 2.123 Tenant shall mean a person renting or leasing a premises from the owner or the owner's selected representative.
- 2.124 Total Dissolved Solids (TDS) shall mean the "residue-on-evaporation" of the dissolved solids in water or wastewater, otherwise known as that portion of solids that passes through a filter of two microns or smaller nominal pore size under specific conditions, as determined by the appropriate procedures in "Standard Methods."
- 2.125 Total Inorganic Nitrogen shall mean nitrites, nitrates and ammonia. The total inorganic nitrogen is expressed as N and is determined by the appropriate procedures in "Standard Methods."
- 2.126 Total Phosphate shall mean orthophosphates, polyphosphates, and organic phosphate. The total phosphate is expressed as P and is determined by the appropriate procedures in "Standard Methods."
- 2.127 Treatment Works shall mean any devices and systems for the storage, treatment, recycling and reclamation of municipal sewage, domestic sewage or liquid industrial wastes. These include intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment and their 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 ultimate disposal of residues resulting from such treatment (including land for composting sludge, temporary storage of such compost and land used for the storage of treated wastewater in land treatment systems before land application); or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal waste or industrial waste, including waste in combined storm water and sanitary sewer systems.
- 2.128 Unpolluted Water is water of quality equal to or better than the effluent criteria in effect or water that would not cause violation of receiving water quality standards and would not benefit by discharge to the sanitary sewers and wastewater treatment facilities provided.
- 2.129 Useful Life shall mean the estimated period during which a treatment works will be operated.
- 2.130 User shall mean a "discharger" as defined herein.
- 2.131 User Charge shall mean that portion of the total wastewater service charge which is levied in a proportional and adequate manner for the cost of operation, maintenance and replacement of the wastewater treatment works.

- 2.132 Waste includes sewage and all other substances, liquid, solid, gaseous, or radioactive, associated with human or animal origin, or from producing, manufacturing, or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to and for the purposes of disposal.
- 2.133 Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and storm water that may be present.
- 2.134 Wastewater Facilities shall mean the structures, equipment and devices required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.
- 2.135 Wastewater Treatment Unit shall mean a device or equipment such as, but not limited to, an evaporator, atomizer or filtration, that shall meet the definition of a wastewater treatment unit as denoted in Title 40 of the U.S. Code of Federal Regulations (40 CFR 260.10 (1) & (2)) which: (1) Is part of a wastewater treatment facility that is subject to regulation under either section 402 or 307(b) of the U.S. Clean Water Act; and (2) Receives and treats or stores an influent wastewater that is a hazardous waste as defined in 40 CFR 261.3, or that generates and accumulates a wastewater treatment sludge that is a hazardous waste as defined in 40 CFR 261.3, or treats or stores a wastewater treatment sludge which is a hazardous waste as defined in 40 CFR 261.3.
- 2.136 Wastewater Treatment Works shall mean an arrangement of devices and structures for treating wastewater, compatible industrial wastes and sludge. Sometimes used as synonymous with "Publicly Owned Treatment Works" or "wastewater treatment plant" or "water pollution control plant."
- 2.137 Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently.
- 2.138 Water Meter shall mean a water volume measuring and recording device, furnished and/or installed by a user and approved by the County.

### ARTICLE 3. CONDITIONS OF SERVICE

- 3.1 Area Served. Properties within the County's Service Area shall be eligible to receive wastewater collection service from the County in accordance with this Ordinance.
- 3.2 Mandatory Connections. Each owner of houses, buildings, or other inhabited properties used for human occupancy, employment, recreation, commercial, industrial, or other like purposes, situated within Washoe County and abutting on any street, alley or right-of-way in which there is located a public sanitary sewer, shall connect to such sewer after it is available for use wherever such public sewer line is within four hundred feet of any building discharging sanitary or process waste except as provided below.
- 3.3 Septic Tank Use.
- A. If any property is using a sewer septic tank which has been and is approved by and acceptable to the District Health Department, such property may continue to use such septic tank so long as such tank and leach lines are in acceptable condition to the District Health Department.
- B. In the event any such septic tank or lines become unusable for any reason whatsoever, or is not acceptable by the District Health Department, then the property being serviced by such septic tank shall, subject to the provisions of Article 3.2 above, become connected to the municipal sewer system within thirty days of written notice thereof.
- 3.4 Penalty for Violation. For the failure of the customer to comply with all or any part of this Ordinance, the customer's service shall be discontinued until the customer is in compliance. Termination of sewer service shall be in accordance with Article 9 of this Ordinance.
- 3.5 Ruling Final. All rulings of the Board shall be final, subject only to judicial review as provided by law.

- 3.6 Notices to Customers. Notices from the County to a Customer will normally be given in writing, and either delivered or mailed to him at his last known address. Where conditions warrant and in emergencies, the County may resort to notification either by telephone or messenger. When a Customer is refused service under the provisions of this Ordinance, the County will notify the Customer promptly of the reason for the refusal to serve and of the right of the Customer to appeal the County's decision to the Board. Failure by the Customer to accept a certified letter notice will not relieve the customer of responsibility for contents of the notice.
- 3.7 Notices from Customers. Notice from the Customer to the County may be given by him or by his authorized representative in writing at the County's operating office. The County's operating office is:
- Washoe County Department of Water Resources  
4930 Energy Way  
Reno, Nevada 89502  
Telephone: 775-954-4600  
FAX: 775-954-4610
- 3.8 Adjustment of Complaints. The Director shall have the power of discretion in the interpretation and application of this Ordinance, including adjustment or rebate of charges, if in the Director's opinion and with full documentation, the intent of the rules would not be accomplished and an injustice would result by their strict application. Any person not satisfied with a decision of the Director may appeal to the Board as provided in Section 1.5.
- 3.9 Customer's Premises. County employees or a designated representative shall have the right of access to Customer's property at all reasonable hours for any purpose related to the furnishing of service, industrial waste inspection and protection of water quality and quantity. Employees are prohibited from entering upon Customer's premises to engage in repair or alteration of Customer's piping and fixtures.
- 3.10 Customer Responsibility. The customer shall be responsible for the individual sewer lateral from the customer's building to the sewer main. Subject to all permitting requirements, the customer shall have the right to access the County's right of way for maintenance and construction.
- 3.11 Special Conditions. In the event that conditions arise which are not specifically covered by this Ordinance, the County may take whatever action, including establishing rates and charges, which in its discretion is warranted.
- 3.12 Effective Date. This Ordinance shall become effective on the date the Board adopts this ordinance by resolution.
- 3.13 Continuity. Adoption of this Ordinance shall not be construed as a waiver of any right or obligation under any prior agreement, contract, or commitment.

#### ARTICLE 4. CONDITIONS OF EPA PARTICIPATION

- 4.1 Revenue. The revenues collected as a result of the user charges levied shall be deposited in a separate non-lapsing fund.
- 4.2 Year-End Balances. Fiscal year-end balances in the fund shall be used for no other purposes than those designated. Monies which have been transferred from other sources to meet temporary shortages in the fund shall be returned to their respective accounts upon appropriate adjustment of the user charge rates for operation, maintenance and replacement. The user charge rates shall be adjusted such that the transferred monies will be returned to their respective accounts within six months of the fiscal year in which the monies were borrowed.
- 4.3 EPA Requirements. These requirements apply only to sewer revenues collected in the Grandview Terrace General Improvement District area and the South Sun Valley area.
- 4.4 User Charge Rate. The User Charge Rate (UCR) shall be based on the following formula for one Equivalent Residential Unit (EDU):

$$\frac{O+M+R}{ERU_T} = UCR$$

Total Operations, Maintenance and Replacement divided by the total number of ERUs (ERU<sub>T</sub>) is the User Charge rate for one ERU.

- 4.5 Commercial and Industrial Rates. Metered user charges for commercial and industrial users shall be based on the following formulas which ensure proportional charges between residential and commercial/industrial users:

$$\text{FLOW} = \frac{270 \text{ gallons/day average residential} \times 365 \text{ days/year}}{\text{divided by 12 months equals } 8,212.5 \text{ gallons/month}}$$

$$\text{RATE} = \frac{\text{Basic Charge} \times 1,000}{8,212.5}$$

- 4.6 Amendments to Sewer Use Ordinance. The Board shall have the power and duty to adopt and may from time to time amend rules and regulations for the operation of the County's Sewer System including, but not limited to, rules and regulations concerning the method of connection and the type of use of the sewer, so long as such amendments are not in conflict with the rules and regulations of the U.S. Environmental Protection Agency, Nevada Division of Environmental Protection or City and County Law. The Nevada Division of Environmental Protection shall be advised of all amendments to this Ordinance at least fourteen (14) days prior to their effective date.
- 4.7 Precedence. This user charge system shall take precedence over the terms or conditions of any agreements or contracts which the County is party to which are inconsistent with the requirements of the Water Quality Act (as Amended 1986) and the regulations of the U.S. EPA (40 CFR parts 35.2005 - 35.2208).

#### ARTICLE 5. SCHEDULE OF RATES AND CHARGES

- 5.1 User Charges. Any users of the Service Area's sewage facilities shall pay to the County a sewer user charge in accordance with the following schedules:

5.2 ALL COUNTY SERVICE AREAS:

- A. Residential Users. For each family occupying a single-family unit the following charges shall apply:

1. Single-Family User Charge Rates

Operations/Maintenance	\$ 9.29
Treatment	\$ 7.67
Repair/Replace	\$ 16.06
Debt Service	\$ 2.24
County Overhead	\$ .18

Total: \$ 35.44 per month

2. Multiple-Family Units (per residential unit) - \$35.44 per month per residential unit for each component in (1) above.

3. Monthly Surcharge – Valley Village Area of the Lemmon Valley Service Area. A surcharge of \$23.40 per month shall be billed to each customer occupying a residence in the Valley Village area of the Lemmon Valley Service Area. The surcharge shall be in effect for a period of twenty (20) years from October 1, 1998. The surcharge shall be considered as part of the regular monthly billing for sewer service and subject to the conditions outlined in this Ordinance, Article 7, Time and Manner of Payment. The surcharge will be billed whether or not the parcel is occupied or is receiving water or

sewer service. The surcharge will continue throughout the twenty-year period and will be in addition to the user charge rate for sewer in (1) above (\$35.44) should the parcel connect to the public sewer during the twenty-year period.

The legal owner of any parcel listed in the Valley Village area of the Lemmon Valley Service Area shall have the option of paying a lump sum of \$3,948.89 to Washoe County in lieu of having the above-described surcharge imposed. Payment of the lump sum shall be made anytime prior to the date the surcharge is to become effective.

4. Monthly Surcharge – River Oaks Subdivision of the Verdi Service Area. A surcharge of \$22.51 per month shall be billed to each customer occupying a residence in the River Oaks Subdivision of the Verdi Service Area. The surcharge shall be in effect for a period of twenty (20) years from October 5, 2007. The surcharge shall be considered as part of the regular monthly billing for sewer service and subject to the conditions outlined in this Ordinance, Article 7, Time and Manner of Payment. The surcharge will be billed whether or not the parcel is occupied or is receiving sewer service. The surcharge will continue throughout the twenty-year period and will be in addition to the user charge rate for sewer in (1) above (\$35.44) which may be adjusted from time to time by amendment of this ordinance.

The legal owner of any parcel in the River Oaks Subdivision of the Verdi Service Area shall have the option of paying a lump sum of \$3,410.40 to Washoe County by November 2, 2007, in lieu of having the above-described surcharge imposed.

B. Commercial Users - All Classes.

1. For commercial users who make use of outside water for uses such as irrigation or vehicle washing, which does not enter the sewer system, sewer user charges shall be determined by water meter records for the months, which exclude such outside uses, based on the following schedule. Where facilities for measuring outside water usage are not available the commercial user shall be billed on total water usage, based on the following schedule:
  - a. Basic and Minimum Charge - \$35.44 per month, per components in A(1) above, plus
  - b. \$3.90 per each 1,000 gallons in excess of 8,212.5 gallons as measured by the water meter per month, plus
  - c. Any applicable surcharge as determined under D, Extra Strength Waste.
2. In the event the commercial water use is not metered, the monthly sewer user charge for a commercial establishment shall be based upon the establishment's number of fixture units. A charge of \$35.44 per month shall be a minimum and shall be the charge for up to 25 fixture units. Each fixture unit in excess of 25 shall have a charge of \$1.28 per month associated with it.

C. Industrial Users. For users in this category the following schedule of charges shall apply:

1. For industrial users who make use of water, which does not enter the sewer system such as irrigation or vehicle washing, sewer user fees shall be determined by water meter records for those months which exclude such outside uses, based on the following schedule. Where facilities to measure outside water uses are not available, the industrial user shall be billed on total water usage, based on the following schedule:
  - a. Basic and Minimum Charge - \$35.44 per month per components in A(1) above, plus
  - b. \$3.90 per each 1,000 gallons in excess of 8,212.5 gallons per month, plus

- c. A surcharge which shall be calculated as follows:

$$\begin{aligned} \text{Surcharge} = & (\text{BOD}_I - \text{BOD}_D) \times Q \times 8.34 \times 30 \times \$0.22/\text{lb of BOD, plus} \\ & (\text{SS}_I - \text{SS}_D) \times Q \times 8.34 \times 30 \times \$0.25/\text{lb of SS, plus} \\ & (\text{P}_I - \text{P}_D) \times Q \times 8.34 \times 30 \times \$2.28/\text{lb of P, plus} \\ & (\text{N}_I - \text{N}_D) \times Q \times 8.34 \times 30 \times \$0.80/\text{lb of N} \end{aligned}$$

Where: I = Industrial/Commercial Wastewater  
D = Local Domestic Wastewater  
C = Total Cost for Specific Parameter (\$/lbs./day) as determined by the Department of Water Resources  
Q = Wastewater Flow (MGD)  
BOD = BOD (mg/1)  
SS = Suspended Solids (mg/1)  
P = Total Phosphorus as P (mg/1)  
N = Total Nitrogen as N (mg/1)  
( ) = Never less than zero

plus

- d. A surcharge for any other component of the wastewater which is identified as causing an increased cost of collection, treatment, disposal and administration. The amount of the surcharge shall be determined by the Department of Water Resources and shall not exceed the proportional amount of increased cost of collection, treatment, disposal and administration attributable to the wastewater component.

Note: The Basic and Minimum Charge assessed in this category contemplates the following factors: (a) 1000 gallons per month, or less, and (b) domestic waste discharge with a five-day average BOD of 240 mg/L, or less; an average suspended solids of 170 mg/L, or less; a total phosphorus as P of 11.0 mg/L, or less; and a total Nitrogen as N of 26.0 mg/L, or less.

2. In the event the industrial water use is not metered, the monthly sewer user charge for an industrial establishment shall be based upon the establishment's number of fixture units. A charge of \$35.44 per month shall be a minimum and shall be the charge for up to 25 fixture units. Each fixture unit in excess of 25 shall have a charge of \$1.28 per month associated with it.

- D. Extra Strength Waste. If the waste discharged by a commercial or residential user is determined by the Department of Water Resources to have strength or characteristics which exceed that of domestic wastewater or causes increased costs as described in C above, the user shall be regulated and charged as an Industrial User.

- 5.3 User Charge System Based on Actual Use. Each user or user class shall pay its proportionate share of operation and maintenance costs of treatment works within the Service Area, based on the user's proportionate contribution to the total wastewater loading from all users or user classes.

- 5.4 Treatment and Interceptor Cost Adjustment. Where interceptor and treatment costs include treatment and transmission by facilities not under the jurisdiction of the County, the costs shall be adjusted in accordance with increases or decreases to these costs as approved by the operational entity of those facilities. An adjustment shall be made to the sewer user charges enumerated in Articles 5 and 6 of this Ordinance in the following ratio: For each 1%, or portion thereof, of rate increases or decreases, there shall be an adjustment of 1% in the sewer user charges, commencing with the next regular billing.

- 5.5 Standby Fee. On vacant subdivided lots where facilities have been built in anticipation of future needs, a standby fee of \$6.50 per month per lot will be charged to the owner of the lot until such time as a service is

installed. If an existing, billed sewer service will be vacant for two (2) months or longer, the owner may be charged the standby fee of \$6.50 rather than the full user charge. The owner must provide proof to the Department of Water Resources each month that no water is being used at the service address. This can be in the form of a current monthly billing, or a letter, from the water purveyor.

- 5.6 Rate Adjustments. The retail rates set forth in Article 5 of this Ordinance shall be subject to an automatic increase by an amount equal to the increase of the Consumer Price Index-Urban Wage Earners (CPI-U) and Clerical Workers for the western region, Region IX and X, as published by the Bureau of Labor Statistics. The measurement period shall end with the published index for December of each year and the resulting increases shall be implemented with the January billings. Calculation of the change in the CPI-U is made by dividing the current index for December by the preceding index for December and subtracting one.

ARTICLE 6. OTHER CHARGES, FEES AND DEPOSITS

- 6.1 Connection Charges. The following connection charges are hereby established and shall be collected prior to connection to the sanitary sewer collection system, final map approval by the Board, or at the time of issuance of the permit for a sewer connection, whichever occurs first:

ALL SERVICE AREAS:

- A. Single-Family Unit: Persons desiring connection to the sanitary sewer system of the service area shall pay to the County a connection charge as follows:

<u>Payment Made After:</u>	<u>Connection Fee</u>
January 1, 2007	\$5,050
January 1, 2008	\$5,100
Every January 1st thereafter	Increased by \$50

It will be the customer's responsibility to obtain all required permitting and a bonded contractor to: cut the street, install a service wye and extend the service lateral to the point of service. All work will be to County specifications and inspected by County personnel. When a sewer collection main does not exist adjacent to property requesting service, the customer shall be responsible for all costs related to the extension of the existing collection system to a point adjacent to property to be serviced which is at least ten (10) feet beyond an extension of the closest property line.

- B. Commercial Unit - All Classes. Persons desiring connection to the sanitary sewer system of the service area shall pay to the County a connection charge based on the weighted fixture units. A minimum connection fee shall be set the same as the applicable single-family unit listed in Schedule A and an additional fee per weighted fixture unit for all units in excess of 25 as follows:

<u>Payment Made After:</u>	<u>Connection Fee for Each Additional Fixture Unit</u>
January 1, 2007	\$235.00
January 1, 2008	\$240.00
Every January 1st thereafter	Additional \$5.00 Increase

- 6.2 Work to be Inspected. All sewer construction/inspection work shall be inspected by the Department of Water Resources to ensure compliance with all requirements of the Sewer Service Area. No sewer shall be covered at any point until it has been inspected and passed for acceptance. No sewer shall be connected to the sewer system until all work has been completed, inspected, approved, accepted and fees paid to the Department of Water Resources.

- 6.3 Wastewater Inspection Certificate and Monitoring Fees. The fees for a wastewater inspection certificate and monitoring shall be based on the actual time spent on inspection and monitoring. Fees for the wastewater inspection certificate shall be the actual cost of the wastewater inspection and certificate, as billed to Washoe County by the City of Reno or Sparks Industrial Waste Inspection Division, plus a billing and processing fee of \$15.00. The minimum charge for a wastewater inspection certificate shall be \$50.00.

Fees for monitoring shall be the actual cost of monitoring, as billed to Washoe County by the City of Reno or Sparks Industrial Waste Inspection Division, plus a billing and processing fee of \$15.00.

- 6.4 Inspection and Plan Check Fee. Any applicant, customer or developer requiring inspection of new facilities by the Department of Water Resources shall pay a minimum deposit per the following schedule:

<u>Minimum Number of Lots</u>	<u>Maximum Number of Lots</u>	<u>Amount</u>	<u>Plus Amount Per Lot Above Minimum Number</u>
1	10	\$1,500	\$0
20	50	\$1,500	\$150
50	120	\$7,500	\$120
120	200	\$15,900	\$80

Commercial Property shall pay a minimum deposit of 10% of the total cost of the construction project or an amount deemed sufficient to cover inspection services.

The deposit shall be paid prior to approval of final map, issuance of building permit, and start of construction. Prior to final acceptance of the improvements, an accounting of all costs including personnel time, fringe benefits, equipment, materials and overhead shall be made for the plan review and inspection of the improvements. If the total cost is greater than the deposit, the applicant must pay the balance due prior to acceptance and use of the improvements.

- 6.5 Structure Under Construction. For the purposes of this Ordinance, until a structure has installed plumbing fixtures the structure shall be considered under construction and is disconnected from the sewer system of the County. No charges otherwise provided herein will be accrued during this period.
- 6.6 Review of Sewer User Charges. The Board shall review the schedule of rates and charges as set forth in Articles 5 and 6 of this Ordinance not less than every two years to determine the sufficiency of those revenues to meet the operating costs of the sewer utility.
- 6.7 Charge for Operation and Maintenance Costs for Extraneous Flows. The operation and maintenance costs attributable to infiltration and/or inflow will be apportioned among all users in the same manner that the sewer user charges are apportioned.
- 6.8 Public Agencies Exempted from Deposit Requirements. In lieu of cash deposits, or sureties, purchase orders will be accepted from public agencies.
- 6.9 Delinquent Accounts. If payment is not received by the 1st billing cycle following the issuance of a specific bill, a late processing fee and handling fee will be charged in accordance with Article 7, Section 7.3, of this Ordinance.
- 6.10 Damage to County Property. Persons causing damage to County property by any willful or negligent act shall be responsible for payment of the associated repair costs. A civil penalty of \$1,000.00 will be levied for the unauthorized dumping of septic tank wastewater, construction debris, or any foreign matter not intended to be handled by the wastewater system.
- 6.11 Charges for Account Transfer and Special Reading. If the customer requests an account transfer or special meter reading, a processing charge of fifteen dollars (\$15.00) shall be charged. Customers must give one working day's notice for special reading.
- 6.12 Connection Charge Payable for Limited Portions of the Double Diamond Ranch Connecting to the Steamboat Creek Interceptor. The connection charges set forth in Article 6, Sections 6.1 (A), (B) and (C), of this Ordinance shall be reduced 45% (i.e., for payments made prior to January 1, 2003 the single-family unit fee would be \$2,640.00, the commercial unit fee would be \$112.75 per each additional fixture unit, etc.) for units within the area designated as Double Diamond Ranch, Steamboat Creek Interceptor Area set forth on Exhibit A. All units within the designated area, Double Diamond Ranch, Steamboat Creek Interceptor Area, shall connect to the Steamboat Creek Interceptor. All other areas of the Double Diamond Ranch shall connect to the Galena Interceptor and pay the connection charges set forth in Article 6, Section 6.1, of this Ordinance.



- 6.13 Connection Charge Payable for the Spanish Springs Valley. Effective retroactively to July 1, 2005, the connection charges set forth in Article 6, Sections 6.1 (A), (B) and (C), of this Ordinance shall be reduced 25% for units within the area designated as Spanish Springs Valley (i.e., the single-family unit fee shall be \$3,712.50, the commercial unit fee shall be \$168.75 per each additional fixture unit, etc. and will increase each year as the connection fee under Article 6, Section 1 (A) and (B) direct). All units within the Spanish Springs Valley designated area shall connect to the Truckee Meadows Regional Wastewater Facility and pay the City of Sparks connection fee in addition to the reduced Washoe County connection fee as required herein.
- 6.14 Connection Charge Payable for Certain Portions of the Unincorporated Area of the County. In addition to the connection charges previously set forth in this article, there shall be a \$200.00 fee for each single family residential unit or equivalent residential unit (ERU) of one or greater within those portions of the unincorporated area of the county receiving sewer service at the Truckee Meadows Water Reclamation Facility.
- 6.15 Connection Surcharge Charge Payable for Certain Portions of the County Connecting to the Mount Rose Sewer Interceptor. In addition to the connection charges previously set forth in this article, there shall be a \$3,000.00 fee for each single family residential unit or equivalent residential unit (ERU) of one or greater within those portions of the county connecting to the Mount Rose Sewer Interceptor that were not assessed for the construction of the sewer interceptor as a part of Special Assessment District #29.

#### ARTICLE 7. TIME AND MANNER OF PAYMENT

- 7.1 Issuance of Bills. The County shall issue a bill monthly for each service in accordance with this Ordinance. The County shall send out bills for sanitary sewer service used and for which no payment has been received, and shall use the rates and charges established by this Ordinance to determine the amount.
- 7.2 Bills Due When Presented. Upon presentation, all bills shall be due and payable at the office of the Washoe County Treasurer or the Department of Water Resources.
- 7.3 Delinquent Accounts. All utility, inspection, and developer design accounts not paid in accordance with Article 6, Section 6.9, of this Ordinance are delinquent and shall be charged a late payment processing fee of 1.5 percent per month on the outstanding balance plus a handling fee of \$5.00 monthly per delinquent account.
- 7.4 Discontinuance of Service. The County may discontinue service to a customer having a delinquent bill.
- 7.5 Represents Lien on Property. Until paid, all rates, tolls, charges and fines provided in this Ordinance constitute a perpetual lien on and against the property served and may be foreclosed upon as provided by law.
- 7.6 Collection by Suit. As an alternative to any of the other procedures herein provided, the County may bring an action against the customer for the collection of the amount of the delinquent rate and all penalties and costs of collection including reasonable attorney's fees and court costs.
- 7.7 Proration of Service Charges. If any opening or closing bill is for a period shorter than the regular billing period, the monthly charges for service shall be reduced in the same proportion as the actual period of use is reduced from the regular billing period.
- 7.8 Failure to Receive a Bill. Failure to receive a bill does not relieve the customer of the obligation to pay for services received.
- 7.9 Checks Not Honored by Bank. Checks presented in payment of bills which are returned by a bank shall be treated as though no payment had been made and a \$25.00 handling charge will be levied by the County plus any additional charges of the bank. Redemption of returned checks may be required to be by cash or equivalent. The customer must reimburse the County for any returned check fees charged by a bank to the County.

- 7.10 Responsible Party. The customer receiving sanitary sewer service shall be billed for the service at the beginning of each billing period. In the case where the owner is not the occupant of the parcel, and payment is not made in a timely manner, as prescribed by this Ordinance, it shall be the owner's responsibility to bring payment current or such unpaid bills shall represent a lien on the parcel.
- 7.11 Disputed bills. In the case of a dispute between a Customer and the County as to the correct amount of any bill rendered by the County for wastewater collection and treatment service furnished to the Customer, the Customer will deposit with the County the amount claimed by the County to be due.
- 7.12 Failure to Make Deposit. Failure on the part of the Customer to make the deposit referred to in Article 7, Section 7.11, of this Ordinance within fifteen (15) days after written notice is provided by the County that such deposit be made or service may be discontinued, shall warrant the County in discontinuing the service without further notice.
- 7.13 Arbitration of Dispute: In the event of dispute between the Customer and the County respecting any bill, charge or service, the County shall make such investigation as shall be required by the particular case, and report the result thereof to the Customer. In the event that the complaint cannot be satisfactorily adjusted, the County or Customer may make application to the County for adjustment of the complaint, and the County shall notify the Customer, in writing or otherwise, that he has the privilege of appeal to the Board.
- 7.14 Deferred Payment. County shall provide a program for the deferred payment of a delinquent bill for any Customer who requests the program and agrees in writing to pay:
- A. The arrearage within 90 days after the execution of this agreement, in four equal installments, with the first payment to be made upon execution of the agreement; and
  - B. All future bills when due.
- The 90-day period otherwise provided for payment of the arrearages may be extended at the discretion of the County. The service of a Customer who enters into an agreement pursuant to this section may be terminated in accordance with Article 9, Section 9.2, of this Ordinance for any failure to make payment as provided by the agreement.
- 7.15 Failure to Make Payment for Fines and Charges for Citation Notice. Failure to make payment related to fines and charges for wastewater discharge warnings or citations shall be cause for termination of service in accordance with Article 9, Section 9.2, of this Ordinance.
- 7.16 Disregard of Wastewater Discharge Warnings. Any Customer who does not comply within a reasonable period of time with any wastewater discharge warning shall be subject to termination of service in accordance with Article 9, Section 9.2, of this Ordinance.

#### ARTICLE 8. APPLICATION FOR SERVICE

Each person applying for a new sanitary sewer service or changes in an existing service will be required to sign appropriate application forms provided by the County and to pay all required fees and charges. The application form shall include an agreement to abide by all County rules and regulations and shall require furnishing such information as the County may reasonably require. Each applicant shall describe the type of development proposed for the property.

- 8.1 Existing Service Connection. Applicants for service through existing service connections shall provide required information on forms provided by the County.
- 8.2 New Service. No connection shall be made to a sewer main unless a written application has been submitted by the property owner or his agent on forms provided by the County. The applicant shall provide any and all information which will assist the County in properly locating the service lateral, including a description of the development, the use of water and plumbing plans of the private facilities if required. Applications shall be accompanied by payment of the connection privilege fee. A written legal description of the property to be served shall accompany any application for service to the property not within an approved subdivision.

- 8.3 Correct Information. In the event that an applicant provided incorrect information as to the size and location of a service connection or requests a change in the size or location after work has commenced, the applicant shall pay any costs incurred by reasons of such corrections and changes.
- 8.4 Rejection of Application. Applications for service through existing or new service connections may be rejected if:
- A. The account of the applicant at the same or other location is delinquent.
  - B. The purpose of the applicant, in the opinion of the County, is to circumvent discontinuance of service in another name because of nonpayment of sewer bills.
- 8.5 Service Outside Service Area. Only property within the service area is eligible for sanitary sewer service from the County.
- 8.6 Design, Construction of New Connections, Inflow Sources. No new connection shall be made to the County's sewer system unless the same is properly designed and constructed complying with the Uniform Plumbing Code and the Standard Specifications for Public Works Construction ("Orange Book"). All inflow sources including but not limited to roof leaders, cellar, yard and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and combined sewers, catch basins, storm waters, surface runoff, street wash waters or drainage shall not be permitted to be connected to the sewer system.
- 8.7 Prohibition Against Altering Connections. It is unlawful to change, bypass, adjust, or alter any piping arrangement (including metering devices) from a premises and connecting to the sewer system without the prior written consent of the County. Failure to comply with this article shall carry the civil penalty as outlined in Article 6, Section 6.10, of this Ordinance, and all other applicable charges shall be paid.
- 8.8 Prohibition of Connection of Inflow Sources. All sources of inflow including but not limited to roof leaders, cellar, yard and area drains, catch basins, manholes, etc. shall be prohibited from connection to the sewer system.

#### ARTICLE 9. TERMINATION OF SERVICE

- 9.1 Customer's Request for Termination of Service. A Customer may have service terminated by giving not less than five (5) days advance notice thereof to the County, and provide a mailing address to which the closing bill will be mailed. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days advance notice. When such notice is not given, the Customer will be required to pay for service until five (5) days after the County has knowledge that the Customer has vacated the premises or otherwise has terminated service. Failure to notify the County of termination of service shall not relieve the customer of responsibility for payment of sewer bills.
- 9.2 Termination of Service by County
- A. For Nonpayment of Bills. A Customer's service may be discontinued for nonpayment of a bill for service furnished if the bill is not paid within thirty (30) days after presentation, provided the County has given the Customer at least five (5) days prior notice of such intention.
 

Premises to which charges have become delinquent may be disconnected from the sewer system. The County shall charge the cost of disconnection of such premises and the cost of reconnection thereto, and such user shall deposit the estimated cost of disconnection and reconnection before such premises are reconnected to the sewer system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.
  - B. For Noncompliance with Rules. The County may discontinue service to any Customer for violation of these rules after it has given the Customer at least five (5) days written notice of such

intention. Where safety of water supply is endangered, or the discharge to the sewer is dangerous to public safety, service may be discontinued or curtailed immediately without notice.

- C. For Infiltration or Illegal Connections. Where negligence, infiltration, illegal connection or discharge of harmful wastes into the collection system, on or from a customer's premises occurs, the County may make such corrections as may be indicated at customer's expense, if such practices are not remedied within five (5) days after it has given the customer written notice to such effect.
- D. For Unsafe Apparatus or Where Service Is Detrimental or Damaging to the County or Its Customers. If any unsafe or hazardous condition is found to exist on the customer's premises, or if the sewage or waste therefrom, by apparatus or illegal or prohibited connections, apparatus, equipment or otherwise, is found to be detrimental or damaging to the County or its customers and/or the POTW, the service may be discontinued without notice. The County will notify the customer immediately of the reasons for the discontinuance and the corrective action to be taken by the customer before service can be restored.
- E. For Fraudulent Use of Service. When the County has discovered that a Customer has obtained service by fraudulent means, or has altered sewer service for unauthorized use, the service to that Customer may be discontinued without notice. The County will not restore service to such Customer until that Customer has complied with all filed rules and reasonable requirements of the County and the County has been reimbursed for the full amount of the service rendered and the actual cost that the County incurred by reason of the fraudulent use. Failure to abide by provisions to gain authorized use shall carry a fine of \$1,000.00.

### 9.3 Restoration of Service.

- A. To Be Made During Regular Working Hours. The County will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit; otherwise, reconnection will be made on the regular working day following the day the request is made.
- B. To Be Made at Other than Regular Working Hours. When a Customer has requested that the reconnection be made at other than regular working hours, the County will reasonably endeavor to make the reconnection, but will be under no obligation to do so, unless an emergency exists.

### 9.4 Refusal to Serve.

- A. Conditions for Refusal. The County may refuse an applicant for service under the following conditions:
  - 1. If the applicant for service is not within the County's Service Area.
  - 2. If the intended use of the service is of such a nature that it will be detrimental or injurious to existing Customers.
  - 3. If the applicant fails to comply with any of the rules as approved by the Board.
  - 4. If, in the judgment of the County, the applicant's installation for utilizing the service is unsafe or hazardous or subject to freezing or flooding, or of such a nature that satisfactory service cannot be rendered.
  - 5. Where service has been discontinued for fraudulent use, the County will not serve an applicant until it has determined that all conditions of fraudulent use or practice have been corrected.
  - 6. When the collection lines, disposal systems, or treatment facilities do not have capacity or the capability to receive and/or treat sewage, septic tank effluent, or liquid waste without contamination of the ground or surface waters of the basin or the watershed of the Truckee River, or in violation of Health Department requirements.

7. If the County's capacity at the Plant, leased or otherwise, has been allocated, and additional capacity cannot be obtained.

B. Notification to Customers. When an applicant is refused service under the provisions of this rule, the County will notify the applicant promptly, by procedures outlined in Article 3, Section 3.4, of this Ordinance, of the reason for the refusal to serve and of the right of the applicant to appeal the County's decision to the Board. Whenever termination of sewer service will effect more than one dwelling unit, the County will make reasonable effort to give notice to all dwelling units.

The County shall cause notice to be given at least five (5) calendar days but not more than fifteen (15) calendar days prior to the date of intended termination.

#### ARTICLE 10. REGULATION OF WASTEWATER DISCHARGE

10.1 Purpose and Policy. These wastewater discharge regulations impose uniform requirements for discharges into the County's wastewater collection system and enable the County and POTW to comply with any applicable State and Federal water quality standards, limitations and pretreatment standards, to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged. These regulations provide a means for determining wastewater volumes, constituents, and characteristics, the issuance of inspection certificates to certain users, and enforcement.

10.2 Administration. Except as otherwise provided herein, the Department of Water Resources shall administer, implement and enforce the provisions of this regulation of wastewater discharge. Any powers granted or duties imposed upon the Department of Water Resources may be delegated by the Department of Water Resources to persons acting in the beneficial interest of or in the employment of the County.

10.3 Dischargers Subject to These Regulations. All wastewater dischargers, domestic and industrial/commercial, to the POTW are subject to the wastewater regulations, inspection, enforcement and penalties provided in this title. Sanitary districts which discharge waste to the POTW shall adopt these regulations of wastewater discharge and enforce all provisions.

#### ARTICLE 11. WASTEWATER REGULATIONS

11.1 Discharges Prohibited from Sanitary Sewers. Sewage, waste, or any matter having any of the following characteristics shall not, under any conditions, be discharged into, be placed where they might find their way into, or be allowed to run, leak or escape into any part of the sewer system:

A. Any liquids, solids or gases which by reason of their nature or quantity are or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the POTW or to the operation of the POTW. At no time shall two successive readings on an explosion hazard meter at the point of discharge into the system (or at any point in the system) be more than five percent nor shall any single reading be over ten percent of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include but are not limited to: gasoline, kerosene, benzene, naphtha, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides and hydrides;

B. Any substance containing or causing the promotion of toxic or poisonous solids, liquids, or gases that, alone or in combination with other waste substances, may create a hazard for humans, animals, or the environment, interfere with wastewater treatment processes, cause a public nuisance, or cause any hazardous condition to occur in the wastewater system;

C. Any substance having a pH lower than 5.5 pH units or having any corrosive or detrimental characteristic that may cause injury to wastewater collection or treatment systems including structures and equipment; any substance with a pH greater than 9.0 pH units or high enough to cause alkaline incrustations on sewer walls or other adverse effects on the wastewater systems;

D. Any substance that may cause deposition, obstruction, damage or reduction of flow in the sewer, be detrimental to proper wastewater treatment plant operations, or other interference. These

objectionable substances include, but are not limited to; asphalt, dead animals, offal, ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, bones, hair fleshings, entrails, paper, dishes, paper cups, milk containers, or other similar paper products, either whole or ground;

- E. Any substance which may cause the POTW to be in noncompliance with biosolid use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines or regulations affecting biosolid use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Water Act, the Toxic Substances Control Act, or state criteria applicable to the biosolid management method being used;
  - F. Any inflow sources, including rainwater, stormwater, groundwater, street drainage, surface drainage, subsurface drainage, roof drainage, yard drainage, and water from yard fountains, ponds or lawn sprays, or any other uncontaminated water. It is unlawful to connect any sewer lateral to the County's wastewater facilities which would allow infiltration discharges in excess of two hundred gallons per day per pipe diameter inch per mile of length;
  - G. Any water added for the purpose of diluting waste;
  - H. Any petroleum or mineral-based cutting oils commonly called soluble oil;
  - I. Any nonbiodegradable oil, petroleum oil, or refined petroleum products exceeding one hundred milligrams per liter (100 mg/L);
  - J. Any radioactive, radiological, or chemical/biological warfare, waste or material exceeding 100 mg/L except as regulated by the State or Federal government;
  - K. Any substance (pollutants) that either singly or in combination with other discharges cause pass through, upset, or interference, limit disposal of municipal biosolids or could cause violation of the POTW's NPDES permit and/or the receiving stream water quality standards.
  - L. Matter of any nature at a temperature above one hundred fifty degrees Fahrenheit (150°F);
  - M. Animal or vegetable greases, oil or matter containing animal or vegetable grease or oil or any nature in excess of three hundred milligrams per liter (300 mg/L);
  - N. Any substance that would be poisonous to or inhibit the biological organisms associated with any sewage treatment process, and which, in the opinion of the Department of Water Resources, might interfere with the satisfactory operation of any treatment facility or any portion of the sewer system.
  - O. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, or heat in such quantities that the temperature at the POTW influent exceeds forty degrees centigrade (40°C) or one hundred four degrees Fahrenheit (104°F);
  - P. Any wastewater with objectionable color not removed in the POTW treatment process;
  - Q. Any pesticides or herbicides.
- 11.2 Administration - Determination of Prohibited Discharge. The Department of Water Resources shall make all discretionary determinations as may be required to administer this Ordinance and shall recover the cost incurred in making such determinations from the discharger.
- 11.3 Prohibition on Unpolluted Water. Unpolluted water including, but not limited to, process cooling water, blowdown from cooling towers or evaporator coolers, and swimming pool water, shall not be discharged through direct or indirect connection to the POTW unless an inspection certificate is issued by the Department of Water Resources for such discharge. The Department of Water Resources may approve the discharge of such water when no reasonable alternative method of disposal is available and such discharge does not violate other sections of this title.

If a certificate is granted for the discharge of such water into the wastewater facilities, the user shall pay the applicable charges and fees and shall meet such other conditions required by the Department of Water Resources.

- 11.4 Exclusions from Storm Sewers and Drains. Water discharged to the stormwater facilities shall be limited to unpolluted water only including rainwater, stormwater, groundwater, street drainage, subsurface drainage, irrigation runoff and yard drainage. All other substances shall be prohibited from discharge to the stormwater facilities, groundwater or surface waters unless prior approval of the Department of Water Resources has been obtained. Any matter excluded by Article 11, Section 11.1 (except 11.1 (F)) of this Ordinance, shall under no conditions be discharged into, be placed where they might find their way into or be allowed to run, leak or escape into the stormwater facilities, groundwater or surface water sources.
- 11.5 Exclusions from Sanitary Sewers. In addition to the matter excluded heretofore, all surface drainage water shall be excluded from all parts of the sewer system designated by the Department of Water Resources as the sanitary sewer system.
- 11.6 Septic Tank Waste. It is unlawful to discharge any septic tank or cesspool waste to the POTW unless specifically authorized in writing by the Department of Water Resources. The time and place for the specific discharge and required characteristics of the matter discharged shall be designated by the Department of Water Resources. No discharge shall violate any section of this Ordinance.
- 11.7 Limitations on the Use of Garbage Grinders, and Required Use of Grease Traps and Interceptors.
- A. Waste from garbage grinders shall not be discharged into the County's wastewater facilities except when the wastes are generated in preparation of food normally consumed on the premises and the grinders shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the wastewater facilities, and to a size not to exceed one-half inch in any dimension. Garbage grinders shall not be used for grinding plastic, paper products, inert materials or garden refuse. All scullery or dish table wastes shall not be put through a garbage grinder unless the discharge is through an approved grease interceptor.
- B. Grease Traps and Interceptors. All waste discharged from establishments which may generate grease shall install and maintain a grease interceptor. Sizing specifications for grease traps and interceptors are outlined in Chapter 7 and Appendix H of the Uniform Plumbing Codes. The Department of Water Resources may waive the required minimum size grease interceptor. The design, operation and sizing of all grease traps and interceptors must be approved by the Department of Water Resources. Grease traps, interceptors and sand/oil separators shall be constructed to prevent any bypass of matter prohibited in the wastewater system. Sand/oil separators shall be a minimum capacity of 1,000 gallons except when otherwise specified in Appendix I of the Uniform Plumbing Code. The introduction of emulsifiers, bacteria, enzymes or any other product into the grease trap or interceptor which would cause oil and grease to pass through the trap or interceptor is prohibited. Grease traps and interceptors shall be maintained to ensure proper operation.
- C. Upon the effective date of this Ordinance, all private or public wash rack and/or floor or slab used for steam cleaning, high pressure wash or cleaning of vehicles, vehicle parts, machinery, machinery parts, restaurant equipment or fixtures shall be adequately protected against storm or surface water runoff by a raised pad, bermed area and/or covered work area as approved by the director. The drain shall discharge to the wastewater facility through a pretreatment device of an approved design for this use.
- 11.8 Limitations on Point of Discharge. No person shall discharge any substances directly into a manhole or other opening in a community sewer other than through an approved building sewer unless he has been issued a permit by the Department of Water Resources. If a permit is issued for such direct discharge, the user shall pay the applicable charges and fees and shall meet such other conditions as required by the Department of Water Resources. Failure to comply with this article shall carry a fine of \$1,000.00.
- 11.9 Limitations on Wastewater Strength. No person shall discharge wastewater containing constituents in excess of:

<u>Constituent</u>	<u>Maximum Concentration</u>
Alkali	430 mg/L
Arsenic	2.00 mg/L
Barium	4.00 mg/L
Boron	1.00 mg/L
Cadmium	0.01 mg/L
Chlordane	0.005 mg/L
Chloride	110 mg/L
Chromium	0.50 mg/L
Copper	0.50 mg/L
Cyanide	0.23 mg/L
Fluoride	4.0 mg/L
Guthion	0.004 mg/L
Heptachlor	0.005 mg/L
Iron	25.00 mg/L
Lead	0.30 mg/L
Lindane	0.005 mg/L
Malathion	0.004 mg/L
Manganese	0.70 mg/L
Mercury	0.01 mg/L
Methoxychlor	0.005 mg/L
Nickel	1.80 mg/L
Parathion	0.0016 mg/L
Phenol	0.005 mg/L
Selenium	0.04 mg/L
Silver	0.05 mg/L
Sulfate	240.00 mg/L
Total chlorinated hydrocarbons	0.005 mg/L
Toxaphene	0.005 mg/L
Zinc	1.0 mg/L
Phenol	.005 mg/L
Alkali	430.00 mg/L
Chloride	110.00 mg/L
Fluoride	4.00 mg/L
2-4D	0.005 mg/L
2-4-5T	0.005 mg/L

11.10 Revision of Wastewater Regulations. Effluent limitations promulgated by the Act, and regulations and guidelines promulgated thereunder, shall apply in any instance where they are more stringent than those in these regulations. Limitations on wastewater strength in Article 11, Section 11.8, of this Ordinance may be supplemented with more stringent limitations pursuant to Article 12, Section 12.3 of this Ordinance,

- A. If the Department of Water Resources determines that the limitations in Article 11, Section 11.8, of this Ordinance may not be sufficient to protect the operation of the POTW;
- B. If the Department of Water Resources determines that the limitations in Article 11, Section 11.8, of this Ordinance may not be sufficient to enable the POTW to comply with water quality standards or effluent limitations specified in the POTW's National Pollutant Discharge Elimination System (NPDES) permit;
- C. If any matter of any nature may be discharged into the sewer system, which discharge might reasonably be considered a violation of this Ordinance. The controlling characteristic of such matter shall be determined to the satisfaction of the Department of Water Resources. The responsibility of initiating such determinations of any costs involved and of submitting the results of the determinations to the Department of Water Resources for its approval lie solely with the party or parties desiring to discharge the matter into the sewer system. Verification of these results and the decision as to whether or not a permit shall be issued shall be the responsibility of the Department of Water Resources. The adoption of this Ordinance amending this title of the code,



or ordinances adopted subsequent hereto but without objection from the Department of Water Resources, does not constitute a waiver of the Department of Water Resources' right to regulate or prohibit the discharge of such matter.

- D. Discharges subject to National Categorical Pretreatment Standards shall achieve compliance with all applicable standards and submit all required reports, signed by and certified by a duly authorized representative of the discharge, within the time limitations as specified by the Federal Pretreatment Regulations (40 CFR Part 403). (Ord. 1283 § 8 (part), 1980.)

11.11 Accidental Spill/Discharge.

- A. Users shall notify the Department of Water Resources immediately upon becoming aware of an accidental spill or discharge into the environment, sanitary or storm sewer systems in violation of this Ordinance. Notification will enable the Department of Water Resources to take proper measures to reduce the impact of the spill or discharge. This notification must be followed by a detailed written statement within (15) days of the date of occurrence.
- B. When the Department of Water Resources deems it necessary, dischargers shall provide protection from an accidental spill or discharge of incompatible substances, regulated materials, or wastewater into the environment, sanitary or storm sewer systems. This protection at a minimum shall consist of the following:
  - 1. A written spill/discharge prevention, control and counter measure plan (SPCC) containing operating procedures implemented to prevent an accidental spill/discharge. Control measures installed to prevent spill/discharge into the POTW or environment. Countermeasures to contain, clean up and mitigate the effects of a spill/discharge. Review and approval of such plans and operating procedures shall not relieve the user from the responsibility of this Ordinance; nor shall it relieve the user of any other responsibility or liability imposed by law.
  - 2. When the Department of Water Resources deems it necessary to reduce the risk of exposing the populace, environment, sanitary or storm sewer system to incompatible substances, secondary containment shall be required to be installed. The Department may waive secondary containment measures if a substance poses no hazard and/or the quantity is less than sixty (60) gallons.

11.12 Excessive Discharge. No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations enforceable under this Ordinance.

11.13 Cooling Water. Facilities using water for cooling shall not discharge the cooling water to the wastewater system or storm drain system. Recirculation of such cooling water shall be required.

11.14 Industrial/Commercial Process Water. Water used for industrial/commercial processing shall be pretreated, if necessary, to meet discharge requirements of this Ordinance. If process water can be recirculated or reused, equipment shall be installed to accomplish the recirculation or reuse.

11.15 Identification of Process Chemicals. All process chemicals and industrial wastes shall be properly labeled for identification purposes.

11.16 Use of Onsite Septic Disposal Systems Prohibited. Use of onsite septic disposal systems within the Valley Village Area of the Lemmon Valley Service Area is prohibited. This prohibition will take effect two years from the date sanitary sewer is available. Availability shall be determined by the issuance of a Notice of Completion of construction of a sanitary sewer system to serve this area. All existing onsite septic disposal systems must be properly abandoned and the residence(s) connected to the sanitary sewer by the date established as the end of the two-year time period. (July 29, 2000).

## ARTICLE 12. WASTEWATER INSPECTION CERTIFICATES

12.1 Certificate for Industrial/Commercial Dischargers. Industrial/commercial dischargers connected to the POTW shall obtain a wastewater inspection certificate from the Department of Water Resources. Existing dischargers shall comply with this on or before July 1, 1990 at the discretion of the Department of Water Resources. It is unlawful for any industrial/commercial discharger to discharge without such certificate. The Department of Water Resources shall require certificates for the following categories of industrial/commercial dischargers:

- A. Dischargers whose effluent strength (BOD5, suspended solids, total phosphorus and total nitrogen) exceeds the local domestic wastewater concentrations;
- B. All industrial dischargers for which national pretreatment standards have been established under this Ordinance and regulations and guidelines promulgated thereunder;
- C. Other dischargers as determined by the Department of Water Resources to require special regulation or source control. These dischargers shall be categorized into one of the five (5) classes described below:
  1. Hazard Class I: Those industrial/commercial establishments with sanitary facilities who could not discharge any wastes greater in strength than normal domestic wastes and do not have potentially hazardous materials used or stored on their property. These discharges may require a cursory inspection to verify specific operations within these facilities. A request from the Department of Water Resources generates an inspection upon startup, change of locations, change of ownership or change in business name.
  2. Hazard Class II: Those industrial/commercial establishments which do not generate significant amounts of wastes and are typically but not limited to restaurants, laundromats, small repair shops, machine shops and medical offices. Class II establishments may have present small amounts of petroleum, antifreeze, solvents and photography or x-ray chemicals with only a slight hazard of these being discharged into the sanitary or storm sewer systems. Class II establishments receive an inspection every twelve (12) months with the issuance of a wastewater inspection certificate annually.
  3. Hazard Class III: Those industrial/commercial establishments whose waste stream may contain materials which are considered incompatible. Typically wastewater discharged by this classification may require pretreatment, proper storage and handling measures as well as spill prevention and containment requirements. Class III establishments may have but are not limited to petroleum, inks, chemical and/or flammable solvents, acids or caustics. Any dry cleaning and/or PCE using establishments are considered Class III. Generally Class III establishments may repack, distribute, or generate medium quantities of hazardous or toxic materials and/or wastes. Class III establishments receive an inspection every six (6) months with the issuance of a wastewater inspection certificate annually.
  4. Hazard Class IV: Those industrial/commercial establishments which in their normal operations would use and/or generate a large quantity of hazardous material or waste. This would include significant industrial users discharging wastewater in amounts equal to or greater than twenty-five thousand (25,000) gallons per day. These establishments may be required to pretreat wastewater prior to discharge into the sanitary sewer system, monitor their facility wastewater discharge and provide bi-annual reports to the Control Authority. The Control Authority shall sample wastewater discharges from Class IV establishments a minimum of four (4) times per year. Class IV establishments are required to use proper storage and handling measures as well as implementing spill prevention and containment requirements. Class IV establishments may have but are not limited to large flows, toxic metal solutions, flammables, acids, caustics and/or tanks containing chemical solutions.
  5. Hazard Class V: Those industrial/commercial establishments which are subject to federal pretreatment requirements and are classified as Categorical industries. This classification

may or may not discharge process wastewater into the sanitary sewer system but meet the same criteria as a Class IV establishment.

## 12.2 Certificate Application

- A. To obtain a wastewater inspection certificate the industrial/commercial user shall complete and file with the Department of Water Resources an application in the form prescribed by the Department of Water Resources. The application may require the following information:
1. Name, address and Standard Industrial Classification (S.I.C.) number or numbers of applicants;
  2. Estimated volume of wastewater to be discharged;
  3. Wastewater constituents and characteristics as prescribed by the Department of Water Resources;
  4. Time and duration of discharge;
  5. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers and appurtenances by size, location and elevation as required by the Department of Water Resources.
  6. Description of business activities including type of products, raw materials used, variation in operation, and number and duties of employees;
  7. Any other information as may be deemed by the Department of Water Resources to be necessary to evaluate the certificate application.
- B. The Department of Water Resources will evaluate the data furnished by the discharger. After evaluation, inspection, and approval of all the data required, the Department of Water Resources may issue a wastewater inspection certificate subject to terms and conditions provided herein.
- C. Before a new industrial/commercial discharger to the POTW is allowed, the discharger must first obtain a wastewater inspection certificate from the Department of Water Resources. All existing industrial/commercial dischargers must complete and submit to the Department of Water Resources an application for wastewater inspection within fifteen (15) days of receipt of the application. Violation of this provision shall subject the discharger to enforcement and penalties as provided in Article 9, Section 9.2 of this Ordinance.
- D. Fees for wastewater inspection certificates and monitoring shall be as stated in Article 6, Section 6.3 of this Ordinance.
- E. Payments shall be due and payable upon receipt of the bill and shall be delinquent if not fully paid within thirty (30) days of the date in which the bill is sent to the user by the Department of Water Resources. A penalty of fifteen percent (15%) of the charges may be added to all delinquent charges.

## 12.3 Terms and Conditions

- A. Duration of Inspection Certificates. Wastewater inspection certificates shall be issued for a specified time period not to exceed one year. A certificate may be issued for a period less than a year or may be stated to expire on a specific date. If the user is not notified by the Department of Water Resources thirty (30) days prior to the expiration of the certificate, the certificate shall be extended until such notice is made. The terms and conditions of the certificate may be subject to modification and change by the Department of Water Resources during the life of the certificate as limitations or requirements as identified in Article 10 of this Ordinance are modified and changed. The user shall be informed of any proposed changes in his certificate at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the certificate shall include a reasonable time schedule for compliance.

B. Certificate Conditions. Wastewater inspection certificates shall be expressly subject to all provisions of this Ordinance and all other applicable regulations, user charges and fees established by the Department of Water Resources. Certificates may contain the following:

1. The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;
2. Limits on the average and maximum wastewater constituents and characteristics;
3. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;
4. Requirements for installation and maintenance of inspection and sampling facilities;
5. Specifications for monitoring programs which may include sampling locations, frequency of sampling, number, types and standards for tests and reporting schedule;
6. Compliance schedules;
7. Requirements for submission of technical reports or discharge reports;
8. Requirements for maintaining and retaining records relating to wastewater discharge as specified by the Department of Water Resources, and affording County access thereto;
9. Requirements for notification to the Department of Water Resources of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the POTW;
10. Requirements for notification of slug discharges;
11. Pretreatment of wastes before discharge;
12. Relocation of discharge points;
13. Prohibition of discharge of certain wastewater constituents;
14. Notification to the Department of Water Resources of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater discharge;
15. Development of a compliance schedule for the installation of technology required to meet applicable pretreatment standards and requirements;
16. Other conditions necessary to accomplish the purpose of this Ordinance.

The certificate may include a time schedule which allows the discharger time to meet the conditions of the certificate. The industrial/commercial discharger who has been issued a certificate will be responsible for all costs required to comply with conditions of the certificate.

C. Change of Certificate Terms and Conditions. The Department of Water Resources may change any or all terms and conditions of a wastewater inspection certificate for cause. The Department of Water Resources shall specify a reasonable compliance period to comply with any required changes in the certificate.

D. Transfer of a Certificate. Wastewater inspection certificates are issued to a specific user for a specific operation. A wastewater inspection certificate shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

- 12.4 Trade Secrets. When requested by the persons furnishing a report, the portions of the report or other document which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available to governmental agencies for use in making studies; provided, however, that such portions of a report or other document shall be available for use by the County or State or any State agency in judicial review or enforcement proceedings involving the person furnishing the report.
- 12.5 Monitoring Facilities, Reports and Access by Industrial Waste Inspector. The Department of Water Resources may require the discharger, at his own expense, to construct, operate and maintain monitoring facilities and equipment, and to submit monitoring reports for review. The monitoring facility will normally be required to be located on the discharger's premises outside the building. There shall be accommodations to allow safe and immediate access for the Wastewater Control Inspector, as may be required by the Department of Water Resources. It is unlawful for any person to prevent, or attempt to prevent, any such entrance or obstruct or interfere with any such officer or employee of the County while so engaged.
- 12.6 Inspection. The Department of Water Resources, Wastewater Control Inspector, or other County officials or employees, shall have the right of entry for inspection purposes of the facilities discharging to the County's sewer system to ascertain compliance with the County's sewer regulations. Persons or occupants of premises where wastewater is created or discharged shall allow the Department of Water Resources or its representatives ready access to all parts of the premises for the purposes of inspection, sampling, records examination, or in the performance of any other duties as called for in this Ordinance. The Department of Water Resources or its representative will verify the discharge flows and strength reported by discharger, or to determine compliance with this Ordinance. Inspection, measurement and sampling may be conducted periodically by the Wastewater Control Inspector. The County may install, maintain and operate sampling and measuring equipment on the premises of the discharger. Where a discharger has security measures in force which would require proper identification and clearance before entry into the user's premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification the Wastewater Control Inspector will be permitted to enter without delay for the purposes of performing the specific responsibilities of this Ordinance.
- 12.7 Pretreatment of Sewage. When at any time it becomes necessary or desirable to discharge into the sewer system any matter from any source which does not conform to the requirements outlined in Article 10 of this Ordinance, it is required that before such matter may be discharged into the sewer system, the producer thereof shall pretreat same at his own expense to a degree that will produce an effluent which does conform to the requirements. Such pretreatment plants shall be understood to include grease traps, chemical or biochemical plants, sedimentation chambers and other devices which effect a change of any nature in the characteristics of the matter being treated. Any and all such devices and equipment shall not be put into operation without a written permit of approval issued by the Department of Water Resources and shall be provided with all necessary features of construction to permit inspection of operations and testing of material passing through them, and shall be open to the inspection of the Department of Water Resources at any time, but the producer, in lieu of the treatment of the sewage as hereinabove provided for, may, with the written approval of the Department of Water Resources being first obtained, discharge the sewage, waste or other matter into the sewage system, subject to the provisions of Article 10 of this Ordinance, and subject to the payment of the additional cost of the treatment thereof, as provided for in this title.

The Department of Water Resources may require users of the County's sewer system to pretreat wastewater. Users shall make wastewater acceptable under the limitations established herein before discharging into any wastewater facility. Any facilities required to pretreat wastewater to a level acceptable to the Department of Water Resources shall be provided and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Department of Water Resources for review and shall be approved by the Department of Water Resources before construction of the pretreatment 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 an effluent complying with the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be approved by the Department of Water Resources.

The Department of Water Resources may require that the industrial/commercial dischargers provide information that concentrations of hazardous constituents contained within their wastewater, but not regulated under Section 11.8, will not pass through the treatment works, interfere with the operation of the treatment works, limit disposal of municipal biosolids, present a fire or explosion hazard, cause structural

damage to wastewater facilities or obstruct flow, nor pose a threat to the health and safety of workers. This information shall include supporting data and analysis and shall be prepared by a professional engineer licensed by the State of Nevada and experienced in sanitary design.

12.8 Monitoring Equipment Construction and Report Requirements.

- A. Monitoring facilities and equipment may be required of any sewer user in order to allow inspection, sampling and flow measurement of the building sewer, or internal drainage system. When more than one sewer user can discharge into a common building sewer, the Department of Water Resources may require installation of a separate monitoring facility for each user. Also when, in the judgment of the Department of Water Resources, there is significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Department of Water Resources 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 Department of Water Resources, 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. When such a location would be impractical or cause undue hardship to the user, the Department of Water Resources may allow the facility to be constructed in the public street or public sidewalk area.

If the monitoring facility is inside the user's fence, there shall be accommodations to allow safe and immediate access for the Wastewater Control Inspector, such as a gate secured with a County lock.

There shall be ample room in or near such facility to allow accurate sampling and compositing of samples for analysis. The entire facility and the sampling and measuring equipment shall be maintained at all times in a safe and proper operating condition by and at the expense of the sewer user.

Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with the County's requirements. When, in the judgment of the Department of Water Resources, an existing user requires a monitoring facility, the user will be so notified in writing. Construction must be completed within ninety (90) days following written notification unless a time extension is otherwise granted by the Department of Water Resources.

- B. Within ninety (90) days following the date for final compliance with applicable discharge limitations or, in case of a new source, following commencement of the introduction of wastewater into the County sewer system, any commercial/industrial discharger subject to such discharge limitations shall submit to the Department of Water Resources a report indicating the nature and concentration of all pollutants in the discharge from the affected commercial or industrial establishment. The discharger's report will include reporting on the discharge from any regulated processes which are limited by the discharge limitations and the average maximum daily flow from these process units in the user facility which are limited by such standards or discharge limitations. The report shall state whether the applicable limitations are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the sewer user into compliance with the applicable limitations. The submitted report shall be signed by an authorized representative of the industrial/commercial user and certified to be a qualified professional.
- C. Any user subject to a discharge limitation after the compliance date of such discharge limitation or, in the case of a new source, after commencement of the discharge into the POTW shall submit to the Department of Water Resources during the months of July and January, unless required more frequently by the Department of Water Resources, a report indicating the nature and concentration of pollutants in the effluent which are limited by such discharge limitations. In addition, this report shall include a record of all daily flows which, during the reporting period, exceeded the average daily flow reported, as required under the certificate. At the discretion of the Department of Water Resources, and in consideration of such factors as local high or low flow rates, holidays, budgets and cycles, the Department of Water Resources may agree to alter the months during which the above reports are to be submitted.

The Department of Water Resources may impose mass limitations on users which are using dilution to meet applicable discharge limitations or in other cases where the imposition of mass limitations are appropriate. In such cases, the report required by the above paragraph shall indicate the mass of pollutants regulated by the discharge limitations in the effluent of the sewer user. These reports shall contain the results of sampling and analysis of the discharge, including the flow and nature of concentration, or production and mass, where requested by the Department of Water Resources, of pollutants contained therein which are limited by the applicable pretreatment standards. The frequency of monitoring shall be prescribed in the inspection certificate. All analyses shall be performed in accordance with procedures established in standard methods or other procedures approved by the Department of Water Resources.

Dischargers subject to reporting requirements shall maintain records of all information resulting from all monitoring activities. Such records shall be maintained in the discharger's official business records for a minimum of three (3) years and shall be made available for inspection and copying by the Wastewater Control Inspector. The required period of record retention may be extended during the course of any unresolved litigation between discharger and the County or when requested by the EPA or NDEP. Such records shall at a minimum contain the following:

1. Collection date;
2. Collection time;
3. Collection point/source;
4. Grab/composite sample;
5. Name of person(s) collecting the sample;
6. Sample preservation method(s);
7. Name of laboratory/person(s) performing the analysis;
8. Analytical techniques/methods used;
9. Testing for and results of such analysis.

12.9 Compliance Inspection and Monitoring Program for PCE Using Industrial Commercial Facilities

A. Compliance Inspection for PCE Using Commercial Industrial Facilities

1. As specified in 12.1(C)(3), the Department of Water Resources shall inspect each PCE using industrial commercial facility once every six (6) months.
2. If noted during onsite compliance inspections, the following shall be considered a violation of the Wastewater Inspection Certificate:
  - a. Failure to properly identify (label) a container of process chemicals and/or waste.
  - b. Failure to place equipment and/or process chemicals and wastes within secondary containment.
  - c. Failure to provide waste disposal documents upon request.
  - d. Failure to maintain required wastewater treatment unit equipment.
  - e. Failure to comply with other conditions listed on the Wastewater Inspection Certificate.

B. Compliance Monitoring for PCE using Industrial Commercial Facilities

1. The Department of Water Resources shall conduct compliance monitoring of discharges to the collection system. Compliance monitoring shall consist of two wastewater samples collected from each permitted facility once every six (6) months. The two wastewater sample sites shall be located at the closest manhole upstream and downstream from each permitted facility's lateral.
2. PCE detected in any monitoring site upstream from a PCE using industrial commercial facility at concentrations exceeding discharge standards shall result in further investigation by the Department of Water Resources into the source. This investigation may include, but is not limited to:
  - a. Additional soil and wastewater sample collection and analysis
  - b. Inspections of upstream industrial commercial sites
  - c. Review of data concerning historical PCE users in the upstream area
3. PCE detected in a monitoring site immediately downstream from a PCE using industrial commercial facility at concentrations greater than the discharge standard, where the corresponding upstream sample is below the discharge standard, shall result in an investigation. During the course of this investigation the dry cleaner or industrial commercial user shall be required to demonstrate compliance to existing regulations.
4. If, during 12.9(B).(2.) or 12.9(B).(3.) a source of PCE is determined to be present, the Department of Water Resources shall determine appropriate next steps. These steps may include but are not limited to:
  - a. Further investigation to identify ongoing, active PCE releases
  - b. Installation of a monitoring site for a specific user
  - c. Charges for additional sampling, analysis, and investigation
  - d. Criminal action
  - e. Termination of sewer service
  - f. Revocation of the Wastewater Inspection Certificate/Business License

#### 12.10 Standards For Dry Cleaning Facilities

- A. No person shall dispose of or place dry cleaning solvent, filters, lint etc. from dry cleaning machine cleanout, button trap cleanout, pre-filter cleanout, spent diatomaceous earth, sludge, condensate or separator water, vacuum press condensate, mop water, still bottoms or any other regulated waste material containing dry cleaning solvent into any:
  1. Drain, sanitary sewer, storm sewer, septic tank, boiler, cooling tower, or underground structure which may result in a release to the waters of the State; or into any
  2. Dumpster, trash receptacle, on the ground, or in any location other than in an appropriate waste storage container that is properly identified (labeled). Said material shall be handled, stored and disposed of as hazardous waste.
- B. The business owner or their designated representative shall, in addition to the requirements specified in Section 12.2, submit detailed facility plans which include the specifications of an onsite wastewater treatment unit to the Department of Water Resources.
  1. All wastewater treatment equipment shall meet the definition of a wastewater treatment unit as denoted in 40 CFR 260.10(1)&(2) and meet, at a minimum, the requirements set forth in 12.10(C).



2. The onsite wastewater treatment unit shall be directly plumbed to receive wastewater generated from the dry cleaning machine.
  3. The Department of Water Resources shall approve the plans for and specifications of a wastewater treatment unit.
- C. A dry cleaning facility wastewater treatment unit shall:
1. Include a primary solvent water separator settling chamber.
    - a. The settling chamber shall recover free-phase dry cleaning solvent from wastewater exiting the dry cleaning machine water separator.
    - b. Wastewater exiting the settling chamber shall be directed into an initial filter capable of removing dissolved solvent.
  2. Include a monitor-alarm which will shut down the wastewater treatment unit when the initial filter becomes saturated with solvent.
- D. The wastewater treatment unit shall be operated and maintained according to all the manufacturer's recommendations and requirements.
1. An operation and maintenance manual for the wastewater treatment unit shall be kept onsite at all times
  2. A maintenance log of the wastewater treatment unit shall be kept onsite and up to date and at all times.
  3. Operation of the treatment unit with the monitor-alarm being bypassed, deactivated or removed shall result in a violation.
  4. Solvent saturated initial filters shall be replaced
  5. Any wastewater exiting the initial filter shall be directed into a secondary filter having filter media capable of removing residual dissolved dry cleaning solvent.
  6. Any wastewater exiting the secondary filtration shall be evaporated, misted, or atomized. These methods shall not result in discharges exceeding air quality permit limits or result in visible liquid deposition or accumulation so as to create a safety hazard or nuisance.
- E. Wastewater generated in a dry cleaning operation may be treated with an alternative device other than what has been outlined in this Article, provided it can be demonstrated to the Department of Water Resources that the alternative unit is capable of providing equivalent or better levels of solvent removal and automatic shutdown capabilities. All requests for the installation of an alternative wastewater treatment unit shall be submitted in writing to the Department of Water Resources for approval.
- F. All invoices and/or manifests generated as a result of, but not limited to chemical and equipment purchases, equipment maintenance, disposal of dry-cleaning solvent and associated wastes shall be made available for review and copying upon request. All documentation shall be kept onsite for a period of three years.
- G. Secondary containment shall be required for, but not limited to, all dry cleaning equipment, wastewater treatment unit(s) unused cleaning solvent, waste cleaning solvent, used filters, sludge, lint and solids contaminated with cleaning solvent.
1. Secondary containment shall be constructed of material impermeable to solvent and cleaning fluids used, and able to withstand the weight of the equipment and/or vessels stored within it.
  2. Secondary containment shall be capable of containing a minimum of 110% of the capacity of the largest vessel contained and be leak proof.

3. The secondary containment shall extend beyond the outside perimeter of all dry cleaning equipment to enable collection of any solution that may leak, drip or escape from the equipment.
4. Outdoor storage of dry cleaning process chemicals and waste shall be secondarily contained, secured to prevent unauthorized access and covered to protect from contact with storm water.

#### ARTICLE 13. ENFORCEMENT

- 13.1 Enforcement Authority. The Department of Water Resources shall enforce the provisions and requirements prescribed in this Ordinance. The Washoe County Sheriff and/or Wastewater Control Inspector shall have the power and authority of a peace officer to prevent and abate all such violations.
- 13.2 Violation Notice. In the event of a minor or potential hazard, the Wastewater Control Inspector shall issue a notice to the discharger to remedy the hazard. Said notice shall require the discharger to submit to the Department of Water Resources within ten (10) days a detailed plan and time schedule of specific action the discharger will take in order to correct or prevent a violation. If the discharger fails to submit an acceptable plan, fails to comply with the notice, or fails to comply with the plans submitted, the discharger shall be charged with a violation pursuant to Article 3, Section 3.2 of this Ordinance.
- 13.3 Cease and Desist Order. In the event a discharge or potential discharge threatens the operation of the treatment plant, or sewer system, or endangers the health or safety of any person, the Department of Water Resources shall issue a cease and desist order to the discharger. If the discharger fails to obey said order immediately, the Wastewater Control Inspector shall take such action as may be necessary to ensure compliance.
- 13.4 Enforcement Procedures.
  - A. When discharge of wastewater has taken place in violation of this Ordinance or the provisions of a wastewater inspection certificate, the Department of Water Resources, Industrial Waste Inspector, or other duly authorized County employee, may issue a cease and desist order and direct those persons not complying with such prohibitions, limits, requirements, or provisions, to: comply forthwith, comply in accordance with a time schedule set forth by the Department of Water Resources, or take appropriate remedial, or preventative action.
  - B. The Washoe County Sheriff or County employee bearing proper credentials has the authority to issue an on-site citation to any discharger whose discharge is in violation of this Ordinance.
  - C. Any user who violates the following conditions of this Ordinance, or applicable State and Federal regulations, is subject to having his certificate revoked by the Department of Water Resources for:
    1. Failure of a user to factually report the wastewater constituents, flow and/or characteristics of his discharge;
    2. Failure of the sewer user to report significant changes in operations, or wastewater constituents and characteristics;
    3. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring;
    4. Violation of conditions of a wastewater inspection certificate.
- 13.5 Appeals. Any user, certificated applicant, or certificate holder affected by any decision, action, or determination, including cease and desist orders made by the Department of Water Resources interpreting or implementing the provisions of this Ordinance, may file a written request for reconsideration by the Board of County Commissioners within ten (10) days of such decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration.

- 13.6 Damage to Facilities. When a discharge of waste causes an obstruction, damage, or any other impairment to County wastewater facilities, the Department of Water Resources may assess a charge against the user for the work required to clean or repair the facility and add such charge to the user's sewer service charge.
- 13.7 Indemnity. Any person who violates or aids or abets the violation of any provisions of these regulations, requirements, or conditions set forth in certificates duly issued, or who discharges wastewater which causes pollution, or violates any cease and desist order, prohibition, effluent limitation, national standard of performance, pretreatment or toxicity standard, shall be liable to indemnify the County in the full amount of any penalty or judgment rendered against the County which is attributable to, or results from, such violation.
- 13.8 Termination of Service.
- A. The Department of Water Resources may terminate or cause to be terminated sewer service to any premise in violation of any provision of this Ordinance if a discharge or effluent causes or threatens to cause a condition of contamination, pollution, or nuisance. Prior to termination of service, the Director shall notify the owner of such property in writing that service is intended to be so terminated. Such notice shall be mailed to the owner as his name and address are shown on the real property assessment rolls on which general taxes are collected, or as known to the Department of Water Resources, and a copy shall be delivered to the tenant or posted conspicuously on the property. The notice shall state the date of proposed termination of service and the reasons thereof.
- B. The Department of Water Resources may suspend the wastewater treatment service when such suspension is necessary, in the opinion of the Director, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons or to the environment, causes interference to the treatment facilities, or causes the County to violate any condition of the NPDES permit. Any person notified of suspension of the wastewater treatment service shall immediately stop or eliminate the contribution. In the event of a failure of the person to comply voluntarily with a suspension order given under this subsection, the Director or the Wastewater Control Inspector shall take such steps as deemed necessary to prevent or minimize damage to the sewer system or endangerment to the health and safety of any individuals. Such steps may include, but are not limited to, arrest of the discharger or person responsible for the discharge, and cessation of the discharger's ability to discharge. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the Director of the Department of Water Resources within fifteen (15) days of the date of occurrence.
- 13.9 Falsifying of Information. Any person who knowingly makes any false statement, representation, record, report, plan or other document filed with the County, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these regulations, is declared to be in violation of these regulations, and subject to the penalties imposed under Article 9, Section 9.2 of this Ordinance, or subject to prosecution and punishment under Article 13, Section 13.10 of this Ordinance.
- 13.10 Penalty. Any person, firm, or corporation who violates any of the provisions of this Ordinance is guilty of a misdemeanor, and, upon conviction thereof, may be punished by a fine of not more than one thousand dollars (\$1,000.00) and/or imprisonment of not more than six (6) months. Each such person is guilty of a separate offense for each and every day during any portion of which any violation of the provisions of the Ordinance is committed, continued, or permitted by any such person.

#### ARTICLE 14. VALIDATION OF ACTIONS

Notwithstanding any defects or irregularities, all acts and proceedings taken by the Board and its agents, or purportedly had or taken under law or under color of law by them, in fixing, imposing and collecting the rates, tolls, charges, liens, deposits, penalties, surcharges and other rules and regulations provided for by former enactments and amendments of this Ordinance, prior to the enactment of this amended Ordinance, and all actions and proceedings are hereby validated, ratified, approved and confirmed.

ARTICLE 15. SERVICE AREAS

15.1 Intention. The intent of this Ordinance is to establish a schedule of rates and charges and pretreatment program for provision of sanitary sewer service by Washoe County to service areas currently owned and operated by Washoe County, and to future new or existing service areas that may come under the jurisdiction of Washoe County. A separate accounting of each service area's revenues and expenditures need not be maintained under the Water and Sewer Enterprise Fund.

15.2 Service Areas.

A. Lemmon Valley Sewer Service Area

1. Lemmon Valley
2. Horizon Hills and Adjacent Area.
3. Grandview Terrace General Improvement District and Adjacent Area
4. Valley Village Area
5. Golden Valley and Adjacent Area

B. South Sun Valley Sewer Service Area

C. Southern Comfort Sewer Service Area

D. South Truckee Meadows Sewer Service Area shall mean the following areas:

1. Huffaker Hills
2. Southeast Truckee Meadows 1
3. Southeast Truckee Meadows 2
4. Steamboat Valley
5. Pleasant Valley
6. Sierra Reflections
7. Steamboat Hills
8. Galena Fan
9. Thomas-Whites Fan
10. Arrow Creek
11. Montreux
12. Mt. Rose

E. Juniper Trails

F. North Virginia Street/Stead

G. Frontier Estates

H. Cold Springs and Adjacent Area

I. Spanish Springs and Adjacent Area

J. Hidden Valley and Adjacent Area

K. All other service areas in the unincorporated areas of Washoe County that are or may in the future be owned and operated by Washoe County.

AN ORDINANCE AMENDING THE WASHOE COUNTY SCHEDULE OF RATES AND CHARGES FOR PROVISION OF SANITARY SEWER SERVICE WITHIN CERTAIN AREAS OF WASHOE COUNTY; ADDING PROVISIONS TO ALLOW A CONNECTION FEE SURCHARGE FOR PROPERTIES PREVIOUSLY SERVED BY THE VERDI MEADOWS UTILITY COMPANY, LLC (VMUC) NOW BEING CONNECTED TO THE LAWTON VERDI SEWER INTERCEPTOR; REMOVING THE SENIOR CITIZEN'S DISCOUNT PROGRAM; AND PROVIDING OTHER PROCEDURAL CHANGES. THIS ORDINANCE REPEALS ORDINANCE NO. 1274.

Proposed on the 21<sup>st</sup> day of August, 2007

Proposed by Commissioners Weber

Passed on the 25<sup>th</sup> day of September, 2007

Vote:

Ayes: Commissioners: Larkin, Weber, Humke, Galloway, Jung

Nays: Commissioners: none

Absent: Commissioners: none



Chairman  
Board of County Commissioners

ATTEST:



AMY HARVEY, Washoe County Clerk

This Ordinance shall be in force and effect from and after the 5<sup>th</sup> day of October, 2007.