

CHAPTER 6. DESIGN AND CONSTRUCTION OF SEWERS

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6.010 Private Sewage Disposal System. The design, construction and maintenance of private sewage disposal systems, septic tank systems or any other method of sewage disposal that is separate from, and does not contribute flow to, the District's sewer collection system are governed by the Ordinances, rules and regulations of the cities within the District, County and State.

Source: Section 4762, Health and Safety Code.

(Adopted by Ord. 46, July 23, 1975; Readopted by Ord. 130, October 27, 1999; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)

6.020 Design of Sewers.

(A) The design, construction, and modification or repair of any new or existing public and private sewers within the District shall be in accordance with the requirements of the Ordinance, most current District's Sanitary Sewerage System Design Standards (District Design Standards), and good engineering and planning practices. A copy of the District Design Standards is on file at the District's office or can be found on the District's website at [www.westvalleysan.org](http://www.westvalleysan.org). The District Manager, at his or her discretion, may waive certain requirements of the District Design Standards or may require more stringent standards where unusual conditions are encountered. The District shall document its reasons supporting a waiver of requirements or the addition of more stringent requirements and include this documentation as an attachment to the Permit issued pursuant to Sections 9.010 and 9.045.

(B) In the event any existing residential, mixed-use, commercial, industrial, or quasi-public building is improved, or if a change of use category is being made, requiring the issuance of a Permit, the District Manager, in his or her discretion, may require the Lower Sewer Lateral that services the real property to be replaced by the property owner to meet District Design Standards. The District shall document the reasons supporting the requirement to replace the Lower Sewer Lateral and include this documentation as an attachment to the Permit issued pursuant to Sections 9.010 and 9.045.

(C) All plans and specifications for public and private sewers within the District shall be prepared by a civil engineer licensed in the state of California in conformity with such terms and conditions as the Board may prescribe, which may include the requirement to make improvements outside of the immediate development area that are deemed necessary due to the

downstream impacts of the development. Compliance with these requirements shall be indicated by the District Manager's signed approval on the plans and specifications.

Source: Section 4762.1, Health and Safety Code.

(Adopted by Ord. 10, Aug. 28, 1957; Amended by Ord. 17, Sept. 27, 1961; Amended by Ord. 24, June 8, 1965; Readopted, as modified by Ord. 46, July 23, 1975; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)

6.030 Permit Required. All public and private sewers within the District, that discharge to the public sewer system shall not be constructed, modified, repaired, or replaced until a District Permit is issued pursuant to Chapter 9, or other written authorization is obtained from the District.

Source: Section 4762.1, Health and Safety Code.

(Adopted by Ord. 46, July 23, 1975; Amended by Ord. 60, July 27, 1977; Amended by Ord. 134, October 10, 2007; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)

6.040 Construction or Modification of Sewers. All public sewers constructed, modified, repaired, or replaced, shall be performed by Contractors registered pursuant to Section 9.060, or by Contractors performing work on behalf of the District. All public and private sewers shall be constructed in accordance with the requirements of this Ordinance, District Design Standards, and District approved plans and specifications. In addition, construction and use of Building Sewers shall be in accordance with the following conditions:

(A) A Building Sewer must serve each individual building site within a proposed development;

(B) The location and method of connection to a branch, lateral or main sewer shall be approved by the District Manager;

(C) Materials and method of construction shall be in conformance with the District Design Standards;

(D) Each building shall have its own separate and independent Building Sewer. In the event there are multiple buildings on a single parcel, and at the discretion of the District Manager, the use of a common Building Sewer for multiple buildings may be allowed; and,

(E) All required District Permit(s) must be obtained prior to connection of any building's plumbing system to a new or existing Building Sewer. The Upper Sewer Lateral and Backflow Protective Device, if required, shall be constructed in accordance with the Ordinances, rules and regulations of the City or County Building Department that has jurisdiction over the building.

(F) If the Building Sewer must traverse through a property or properties to connect to a Public Sewer, a private sewer easement must be established with the owner or owners of the affected properties. Prior to the issuance of a Permit, the District shall review the easement document for general conformity with the proposed alignment of the Building Sewer and the proposed connection point to the public sewer. Upon the District's review, the permittee shall be responsible for recording the private sewer easement with the County Recorder's Office. (Adopted by Ord. 46, July 23, 1975; Amended by Ord. 60, July 27, 1977; Amended by Ord. 134, October 10, 2007; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)

6.050 Backflow Protective Device: Purpose. Due to natural topographical conditions and common sewer system characteristics, there is a risk of harm to human health, property, and the environment as a result of the possibility that a Sanitary Sewer Overflow may occur on public and private property. It is the purpose of the following Sections 6.060, 6.070, and 6.080 to minimize the risk by requiring, where warranted, the property owner to install and maintain an approved Sewage Backflow Protective Device.

Source: Section 4762.1, Health and Safety Code.

(Adopted by Ord. 19, Sept. 13, 1962; Readopted, as modified, by Ord. 46, July 23, 1975; Amended by Ord. 60, July 27, 1977; Amended by Ord. 134, October 10, 2007; Amended by Ord. 145, November 12, 2014)

6.060 Backflow Protective Device: Requirement. The owner of any improved real property is required to install and maintain at all times in operable condition, and at that owner's sole cost, a Sewage Backflow Protective Device to protect all structures located on the property. The requirement to install a Backflow Protective Device may be enforced through the District permitting process, or by written notice issued by the District Manager, whenever:

(A) The lowest floor elevation of any structure containing a plumbing fixture is less

than one (1) foot above the surface elevation of the nearest upstream manhole, vertical riser, or similar structure on the District's sewer system; or

(B) The District Manager determines, in his or her sole discretion, based upon site-specific sewer system conditions or past occurrence of a sewer backup at the property, that installation and maintenance of a Sewage Backflow Protective Device on the property is necessary, as described in Section 6.050 of the District's Ordinance Code.

(Adopted by Ord. 19, Sept. 13, 1962; Readopted by Ord. 46, July 23, 1975; Amended by Ord. 134, October 10, 2007; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)

6.070 Backflow Protective Device: Installation.

(A) All Sewage Backflow Protective Devices shall be located and installed in the manner, and meet the standards prescribed by the building departments of the cities within the District or the County.

(B) If the property owner is required by Permit to install a Backflow Protective Device, then the property owner has up to 365 calendar days from the date the Permit is issued, or another length of time to be determined by the District Manager, to install the required device. If the property owner receives written notice from the District Manager to install a Backflow Protective Device, the property owner has up to 60 calendar days to install the required device.

(C) The failure to install a Backflow Protective Device within the required timeframe will be considered a Violation as defined in Chapter 14.

(D) The District will not finalize a Permit or issue a clearance letter until a Backflow Protective Device is installed.

(Adopted by Ord. 19, Sept. 13, 1962; Readopted, as modified, by Ord. 46, July 23, 1975; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)

6.080 Backflow Protective Device: Connection Without is Unlawful. It shall be unlawful for the owner of any structure to have a Building Sewer connected to the sewerage system of the District without an approved Sewage Backflow Protective Device, if required by provisions of Section 6.040 through 6.060.

(Adopted by Ord. 19, Sept. 13, 1962; Readopted, as modified, by Ord. 46, July 23, 1975;

Amended by Ord. 145, November 12, 2014)

6.090 Responsibility for Defects. All Persons performing work on or adjacent to public sewers within the District shall be held strictly responsible for any and all acts of its agents, employees and subcontractors in connection with said work. Said Person, upon being notified in writing by the District Manager of any defects to these public sewers arising from said work or of a violation of the District Ordinance Code, shall take immediate steps to correct such defect or violation. If said Person does not correct such defect or violation after reasonable notice to do so, the District may correct such defect or violation at the said Person's expense.

(Adopted by Ord. 10, Aug. 28, 1957; Readopted, as modified, by Ord. 46, July 23, 1975; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)

6.100 Building Sewer Maintenance. The District will maintain all publicly owned portions of Building Sewers within the District to the extent conditions allow District staff to safely access and maintain the Building Sewer, subject to the conditions below:

(A) Extent of District Maintenance: The District will maintain that part of each Building Sewer lying within a public right-of-way (Lower Sewer Lateral). The District shall not be responsible for the maintenance, or any expense incurred by a property owner for the maintenance of a Building Sewer that is considered to be privately owned; e.g. Upper Sewer Laterals, Easement Sewer Laterals, and Building Sewers that are connected to a Private Sewer System.

(B) Type of Maintenance Performed by District: If a properly installed, maintained, and accessible Property Line Cleanout exists, the District will perform the following types of maintenance on the Lower Sewer Lateral, except when the need for maintenance is caused by any person violating any provision of this Code:

- (1) Removal of blockages.
- (2) Removal of and or treatment of root growths that are or may cause blockages.
- (3) Repair or replacement of all or a part of the Lower Sewer Lateral when its condition is deemed by the District Manager to be an unreasonable inconvenience to the Users of the Building Sewer or when replacement becomes more economical than the maintenance being performed by the District.

(C) Obligations of a Property Owner: The property owner shall have the following obligations:

(1) The property owner retains ownership and maintenance responsibilities for all private sewer system components, including Main Sewers, Building Sewers, sewer structures and appurtenances.

(2) Maintenance of a private Building Sewer, or private portion thereof, by the property owner requires that all debris generated during this operation be thoroughly removed and or flushed from the entire Building Sewer into the Main Sewers. If a blockage in the Lower Sewer Lateral or receiving Main Sewers is found to be caused by the Owner's maintenance activities, all District repair and or maintenance costs associated with removal of the blockage will be the responsibility of the property owner.

(3) Installation of an approved Property Line Cleanout on each Building Sewer, as determined to be required by the District Manager.

(4) The requirement to install a Property Line Cleanout shall be imposed by the District for any work requiring a District Sewer Permit, or when in the District Manager's opinion, the Lower Sewer Lateral has experienced a high frequency or severity of blockages, or when existing Property Line Cleanout is deemed not to conform with District Design Standards. The District Manager has the authority to require any property served by the District to install a Property Line Cleanout when it is determined to be required and will provide written notice to the property owner of this requirement, if not already required as part of other work requiring a District Permit.

(5) If a Property Line Cleanout is determined to be required, the property owner shall obtain a District Permit, determine the location of their property line, and engage the services of a State Licensed Contractor to accomplish said installation in accordance with District Design Standards.

(6) If the property owner is required by a Permit to install a Property Line Cleanout, then the property owner has up to 365 calendar days from the date the Permit is issued, or another length of time to be determined by the District Manager, to install the required cleanout. If the property owner receives written notice from the District Manager to install a Property Line Cleanout, the property owner has up to 60 calendar days to install the required cleanout.

(7) The failure to install a Property Line Cleanout within the required timeframe will

be considered a Violation as defined in Chapter 14.

(8) The District will not finalize a Permit or issue a clearance letter until a Property Line Cleanout is installed.

(9) If an approved Property Line Cleanout has not been installed on the Lower Sewer Lateral or has not been maintained to provide clear and unfettered access for District maintenance staff, the maintenance obligation for the entire Building Sewer shall be the responsibility of the Owner. Clear and unfettered access, as determined by the District Manager, requires that no obstructions exist on or near the Property Line Cleanout that prevents direct access from the Street and proper use of maintenance equipment.

(D) Request for Maintenance by Property Owner: A property owner requesting maintenance of a Building Sewer by the District shall, before requesting such service, attempt to determine the location of the problem and whether a Property Line Cleanout exists. If the problem is located in the part of the Building Sewer that the property owner is required to maintain, the property owner shall proceed to maintain said Building Sewer at their own expense. Otherwise, the property owner should contact the District for service.

(E) Costs Paid by Property Owner: All costs and expenses incident to the obligations of a property owner set forth in Section 6.100(C) shall be borne by the property owner. The property owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by such work, as further set forth in Section 9.100.

(Adopted by Ord. 102, March 8, 1989; Amended by Ord. 134, October 10, 2007; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017)