

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 applicable ordinances, codes, rules and regulations of the cities within the district, county and state. The design, construction, and maintenance of private sewer systems that connect to the district's sewer collection system shall be in accordance with the requirements of district's code.

Reference: Section 4762, Health and Safety Code.

(Adopted by Ord. 46, July 23, 1975; Amended by Ord. 130, October 27, 1999; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017; Amended by Ord. 149, April 10, 2019)

6.020 Design of Sewers.

(A) The design, construction, modification, or repair of any new or existing public or private sewer within the district shall be in accordance with the requirements of the district's code, the 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). At the discretion of the district manager, certain requirements of the district design standards may be waived, or more stringent standards may be imposed, where unusual conditions are encountered. The district shall document its reasons supporting the district manager's variance from district design standards and include this documentation as an attachment to the district permit issued pursuant to Chapter 9.

(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 district manager's requirement to replace the lower sewer lateral and include this documentation as an attachment to the district permit issued.

(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 district manager 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.

Reference: 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; Amended, as modified by Ord. 46, July 23, 1975; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017; Amended by Ord. 149, April 10, 2019)

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.

Reference: 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; Amended by Ord. 149, April 10, 2019)

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 code, 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 the district's sanitary sewer system 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 before connecting to 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 codes, 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. 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. Prior to the issuance of the district permit, the permittee shall be responsible for and present to the district a copy of the private sewer easement recorded 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; Amended by Ord. 149, April 10, 2019)

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 due to the possibility of a sanitary sewer overflow occurring on public and private property. It is the purpose of the following Sections 6.060, 6.070, and 6.080 to address that risk by requiring the property-owner to install and maintain an approved backflow protective device where warranted and as deemed necessary by the district manager.

Reference: Section 4762.1, Health and Safety Code.

(Adopted by Ord. 19, Sept. 13, 1962; Amended, 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; Amended by Ord. 149, April 10, 2019)

6.060 Backflow Protective Device: Requirement. The property-owner of any improved real property is required to install, maintain at all times in operable condition at that property-owner's sole expense, a backflow protective device to protect all structures located on the property that are served by the district's sewer system. 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 sewer manhole, vertical

riser, or similar structure connected to 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 backflow protective device on the property is necessary, as described in Section 6.050 of the district's code.

(Adopted by Ord. 19, Sept. 13, 1962; Amended 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; Amended by Ord. 149, April 10, 2019)

6.070 Backflow Protective Device: Installation and Maintenance.

(A) All backflow protective devices shall be located and installed in accordance with the standards prescribed by the local building department with jurisdiction over the installation of the device. Once installed, the property-owner shall maintain the backflow protective device to ensure that it remains fully operational and performs the intended purpose of protecting the structure it serves from sewage backups.

(B) If the property-owner is required by permit to install a backflow protective device, then the property-owner has up to three hundred sixty-five (365) calendar days from the date of issuance to install the required backflow protective device. If the backflow protective device was required through written notice from the district manager, the property-owner has up to sixty (60) calendar days from the date of issuance to install the required backflow protective device. In either instance, the installation shall not be considered completed until the local building department with jurisdiction over the installation of the device has issued a final building permit. The district manager may, at his discretion, establish alternate installation time requirements

(C) The district will not be held liable for any property damage resulting from a property-owner's failure to comply with this chapter.

(D) The district will not finalize a permit or issue a clearance letter until a backflow protective device is properly installed, and accepted final building permit issued by the local building department with jurisdiction over the project.

(Adopted by Ord. 19, Sept. 13, 1962; Amended, as modified, by Ord. 46, July 23, 1975; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017; Amended by Ord. 149, April 10, 2019)

6.080 Backflow Protective Device: Failure to Install. It shall be unlawful for the property-owner 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 of the district's code.

(Adopted by Ord. 19, Sept. 13, 1962; Amended, as modified, by Ord. 46, July 23, 1975; Amended by Ord. 145, November 12, 2014; Amended by Ord. 149, April 10, 2019)

6.090 Responsibility for Defects, Damages, or Violations. All persons performing work on or adjacent to, or any remote work that adversely impacts, the district sewer system shall be held strictly responsible for any and all acts of its agents, employees and subcontractors. Said Person, upon recognizing that work performed caused a defect, damage, or violation of the district code, immediately notify the district of such adverse impact. Person may also be notified in writing by the district manager of any defect, damage, or violation of the district code, that is discovered by the district. In both cases, the person shall take immediate steps to correct such defect, damage, or violation as directed by the district. If said Person does not correct such defect, damage, or violation after a reasonable amount of time after notice to do so, the district may correct such defect, damage, or violation at the said person's expense. In the case where the defect, damage, or violation is of immediate threat to health and safety, no notice is required and district will either direct Person to make corrections or perform corrections itself.

(Adopted by Ord. 10, Aug. 28, 1957; Amended, as modified, by Ord. 46, July 23, 1975; Amended by Ord. 145, November 12, 2014; Amended by Ord. 146, June 14, 2017; Amended by Ord. 149, April 10, 2019)

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 and or treatment of root growths that are causing, 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 sewer is found to be caused by the property-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 required by district permit, or as determined by the district manager, is required has the following requirements:

(a) The requirement to install a property line cleanout shall be imposed by the district for any work requiring a district permit, or when in the district manager's opinion, the lower sewer lateral has experienced a high frequency or severity of blockages, or when an existing property line cleanout is deemed not to conform with district design standards. If the district manager exercises the authority to require the installation of a property line cleanout when no district permit would otherwise be required, a written notice of this requirement will be provided to the property-owner. In this case, the property-owner shall obtain a district permit

specifically for the installation of the property line cleanout.

(b) Upon issuance of a district permit the property-owner shall determine the legal location of their property line, and engage the services of a contractor registered pursuant to Section 9.060 to accomplish said installation in accordance with district design standards. If the district permit issued is primarily associated with work other than the property line cleanout, the property-owner has up to three hundred sixty-five (365) calendar days from the date of issuance to install the required cleanout. If the district permit is issued specifically for the property line cleanout, the property-owner has up to sixty (60) calendar days from the date of issuance to install the required cleanout. In both cases, the installation is not deemed complete until the installation is inspected and accepted by district staff.

(c) The district manager may exercise his authority to designate an alternate length of time and or extend the required installation time for a property line cleanout. However, failure to install a property line cleanout within the required timeframe will be considered a violation of this code.

(4) If an approved property line cleanout has not been installed to access the lower sewer lateral, or has not been maintained to provide clear and unfettered access for district maintenance staff, it is considered a violation of this ordinance. In this case, the maintenance obligation for the entire building sewer and any resultant backup or sanitary sewer overflow due to the lack of maintenance shall be the responsibility of the property-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 to it by district maintenance staff from the street and ability to safely and properly utilize maintenance equipment.

(D) Request for Maintenance by Property-Owner: Prior to submitting a request to the district to perform maintenance of a building sewer, the property-owner shall attempt to determine the location of the problem and whether a property line cleanout exists. If the problem is located in the upper sewer lateral, 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 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; Amended by Ord. 149, April 10, 2019)