

CHAPTER 13 PROHIBITIONS AND PENALTIES

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13.010 Right of Entry for Inspection. Whenever necessary to make an inspection to enforce this code, or whenever there is reasonable cause to believe there exists a code violation in any building or upon any premises within the jurisdiction of the district, or whenever it is necessary to inspect, observe, measure and compute the volume of sanitary sewage and industrial wastes and take samples of such sewage and wastes being discharged from the premises into the sanitary sewer system for biochemical oxygen demand, suspended solids and ammonia analysis; and to ascertain any other facts or information necessary to determine the applicability of any sewer service and use charges to such premises, or the amount of such charges, any authorized official of the district may, upon presentation of proper credentials, enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon him by this code; provided, that except in emergency situations or when consent of the owner and/or occupant to the inspection has been otherwise obtained, he shall give the owner and/or occupant, if they can be located after reasonable effort, 24 hours' written notice of the authorized official's intention to inspect. The notice transmitted to the owner and/or occupant shall state that the property owner has the right to refuse entry and that in the event such entry is refused, inspection may be made only upon issuance of a search warrant by a duly authorized magistrate. In the event the owner and/or occupant refuses entry after such request has been made, the official is empowered to seek assistance from any court of competent jurisdiction in obtaining such entry.

(Adopted by Ord. 46, July 23, 1975; Amended by Ord. 55, May 26, 1976)

13.020 Violation a Misdemeanor. Whenever in this code, or in any rule, regulation or order, issued or promulgated pursuant thereto, any act is prohibited, or is made or declared to be unlawful, or an offense, or the doing of any act is required, the violation of any such provision of this code, or of any rule, regulation or order, by any person, firm or corporation, whether as principal, agent, employee or otherwise, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment for a term not exceeding thirty (30) days, or by both such fine and imprisonment. Such violation may also be redressed by civil action.

(Adopted by Ord. 10, August 28, 1957; Readopted, as modified, by Ord. 46, July 23, 1975; Amended by Ord. 72, April 8, 1981)

13.030 Each Day a Separate Offense. Such person, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during any portion of which an provision of this code, or any such rule, regulation or order, is committed, continued or permitted by such person, firm or corporation, and shall be punishable as hereinabove provided.

(Adopted by Ord. 46, July 23, 1975)

13.040 Abatement of Violation as a Public Nuisance. Without limitation to any of the foregoing, continued occupation of a building or continued operation of an industrial facility in violation of this code or any rule or regulation of the district is a public nuisance. The discharge of unscreened garbage, fruit, vegetable, animal or other solid industrial wastes into any part of the sanitary sewer system, in violation of any provision of this Chapter, is hereby declared to be a public nuisance. Occupancy of a premise, while disconnected from the district's sewer system, is a public nuisance. The district may bring proceedings to abate such public nuisances specified above during the period of violation.

(Adopted by Ord. 46, July 23, 1975; Readopted by Ord. 76, September 9, 1981)

13.050 Notice of Violation. Without limitation to any of the foregoing, the District Manager and Engineer may serve a person who violates this code or other rule or regulation of the district with written notice of the violation. The notice shall contain the nature of the violation and give a time limit for satisfactory correction which shall not be less than two (2) nor more than seven (7) working days. Upon receipt of the notice, the person shall cease violation and correct the defect within the time stated in the notice.

(Adopted by Ord. 46, July 23, 1975)

13.060 Disconnection and Reconnection.

A. The board of directors may order disconnection of a premise connected to the district's sewer system if it finds disconnection is necessary to enforce this code or rules and regulations of the district.

B. Reconnection. Before a premise may be reconnected to the district's sewer system, the user shall deposit with the district an amount estimated by the District Manager and Engineer to be

the cost of disconnection and reconnection of the premise. After payment of the cost of disconnection and reconnection, the District Manager and Engineer shall refund the difference between the deposit and the cost if there is an excess deposit.

(Adopted by Ord. 46, July 23, 1975)