

RESOLUTION NO. _____

UNION SANITARY DISTRICT

ORDINANCE NUMBER 34.03

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ORDINANCE NUMBER 34.03

AN ORDINANCE PROVIDING FOR PLAN REVIEW, ISSUANCE OF CONSTRUCTION PERMITS, INSPECTION OF SEWERAGE INSTALLATION, AND THE COLLECTION OF FEES FOR THESE SERVICES, AND THE REPEALING OF ORDINANCE 34.02.

ARTICLE I DEFINITIONS

SECTION 1 TERMINOLOGY

Words, phrases, or terms not specifically defined herein, and having a technical or specialized meaning shall be defined as set forth in the latest editions of the Uniform Plumbing Code.

SECTION 2 SPECIFIC DEFINITIONS

Unless the context indicates otherwise, the following words and terms shall have the meaning set forth in this article:

a) BUILDING DRAIN

That part of the lowest piping of a drainage system which conveys wastewater from inside the walls of a building to a connection point with the house or private sewer.

b) DEVELOPER

A person or party submitting a request for connection to the District.

c) DISTRICT

Union Sanitary District, Alameda County, California.

d) DISTRICT ENGINEER

The General Manager of the District, or his designees, including, but not limited to, duly authorized personnel.

e) HOUSE SEWER

That part of a piping system which conveys wastewater from a point 30 inches or less outside of a single family dwelling to a main sewer.

f) MAIN SEWER

Any existing or proposed sewer dedicated to public use within the public right-of-way.

g) PERMIT

A document issued by the DISTRICT that allows the construction of main house or private sewers.

h) PERMIT HOLDER

That person or company to which a permit is issued.

i) PRIVATE SEWER

That part of a piping system which conveys wastewater from a point 30 inches or less outside of a building to a main sewer. Excluded from this definition is a house sewer as defined in "e)" above.

j) PUBLIC NUISANCE

Has the same meaning as defined in the District's latest Wastewater Discharge Ordinance.

k) SEPTIC TANK

A water-tight receptacle which receives the discharge of a sanitary drainage system, or part thereof, designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the liquids to discharge into the soil outside of the tank through an effluent disposal system, meeting the requirements of the local Health Department having jurisdiction over such installation.

**ARTICLE II
PLAN REVIEW**

SECTION 1 PLAN SUBMITTALS

All plans to be submitted for review must be prepared by a California Registered Civil Engineer and shall be of such form as required by the District Engineer.

SECTION 2 PLAN REVIEW PERIOD

If after preliminary review no action has taken place within a period of six months, the review of the plans shall become void. If a permit is not issued within one year of the plan approval date, the approval shall become void. Voided plans must be resubmitted along with a plan review fee based on fees in effect at the time of resubmittal before plans will be re-reviewed. Plans that are voided and resubmitted which are substantially the same as those originally approved shall be charged for one additional review *or 30% of the total plan check fee.*

SECTION 3 MINIMUM STANDARDS

Plans submitted for review or approval which, in the opinion of the District Engineer, do not meet minimum plan preparation and/or design standards, will not be reviewed and shall be returned to the applicant.

ARTICLE III PERMITS

SECTION 1 PERMITS REQUIRED

A person or company engaging in any of the following activities shall obtain a permit from the District:

- a) Construction of a main sewer.
- b) Construction, alteration or repair of a private or house sewer.
- c) Connection of a building drain to a private or house sewer.
- d) Connection of a wash pad, RV dump station or other appurtenances to the house or private sewer.
- e) Repair of a house or a private sewer.

SECTION 2 PERMIT APPLICATION

Applications for permits shall be made by submitting the necessary plans and information such as building and encroachment permits, CC & R's (Covenants, Conditions and Restrictions), easement documents, etc. as required by the District Engineer.

SECTION 3 ISSUANCE OF PERMITS

Permits shall be issued to the party actually doing the work, after all necessary documents and/or plans are approved and all fees and deposits are paid.

SECTION 4 EFFECTIVE PERIOD OF PERMIT

A permit is in effect for a period of one year from the date it was issued. The District Engineer may, for good cause shown, extend any permit beyond the initial one year period described above provided that:

- a) The specific activities permitted by the extension are substantially the same as the activities permitted by the original permit.
- b) The applicant pay all applicable fees and charges existing as of the date that the extension is granted. A credit shall be given for fees and charges paid under the original permit, to the extent they have not been previously expended by the District or any other governmental agencies or they represent payment for work not yet done by the District or any other governmental agency in administering the permit process.

SECTION 5 TRANSFERABILITY OF PERMITS

A permit is not transferable.

SECTION 6 FAILURE TO OBTAIN A REQUIRED PERMIT

Whenever a person is required to obtain a permit as provided in this article and fails to obtain the required permit, there shall be paid to the District, in addition to all other charges, an amount as stated in Article VIII Schedule of Fees.

SECTION 7 LICENSING

If a permit is to be issued to a contractor, that contractor shall be properly licensed by the STATE OF CALIFORNIA. The Contractor shall submit proof of licensing upon request by the District.

**ARTICLE IV
INSPECTION**

SECTION 1 INSPECTION REQUIRED

The District shall inspect the work done under each permit. If the work does not meet District standards and requirements, the District may deny connection, order disconnection, or require other corrective measures at the expense of the permit holder.

SECTION 2 SEWER WORK COVERED WITHOUT APPROVAL

Work that has been covered without approval by the District shall be uncovered by the permit holder for inspection.

SECTION 3 REQUEST FOR INSPECTIONS

The permit holder shall advise the District that work is ready for inspection by giving at least 24 hours notice during normal working hours in advance of the time inspection is requested. Inspections outside of normal working hours shall require that the permit holder file and obtain approval on applicable forms and pay for any inspections at the overtime rate. If, in the opinion of the Engineer, work will be done by a Contractor outside of normal working hours, the Engineer has the right to inspect the work and charge the permit holder at the overtime rate. Any permit holder requesting inspection on a normal day off shall be charged for a minimum inspection time of four hours. Whenever work under a permit has been accepted by the District, the permit holder will be notified within 15 days of the date of acceptance.

SECTION 4 LIABILITY

The function of the Union Sanitary District is to assure that sewer facilities constructed on the *property* of others *are* compatible with the District's then current Standards and Specifications. Unless determined to be the direct result of active negligence of the District, any injuries to persons and/or property during or after construction are the responsibility of the developer, owner or contractor and not Union Sanitary District. In consideration of issuance of a permit, the developer, owner and/or contractor seeking such permit shall hold Union Sanitary District harmless from *any* and *all* liability, *and shall agree to* defend and indemnify Union Sanitary District regarding any injury or damage, actual or alleged, to persons and/or property, resulting from the improvements constructed pursuant to the permit or permits issued by the District in conjunction herewith.

**ARTICLE V
FEES**

SECTION 1 DOCUMENT REVIEW FEE

Whenever a document such as an easement or an encroachment permit is submitted for review, a document review fee may be required to be paid prior to any review. This amount shall be in accordance with Article VII Schedule of Fees, of this ordinance.

SECTION 2 STUDY FEE

Whenever a proposed development may have a significant effect on the capacity of the sewer system and/or treatment plant, the District may require a special engineering study to be undertaken. In such an event, a fee will be charged for the estimated cost of the study, including District administration and engineering costs. Upon completion of the study, additional fees may be charged based on actual costs of the study.

SECTION 3 PLAN REVIEW FEE

After the first plan review is completed, a plan review fee will be calculated in accordance with Article VIII, entitled "Schedule of Fees", of this ordinance. The plan review fee will be invoiced and shall be paid prior to the return of the reviewed plans. This fee covers two preliminary reviews and final construction approval/signature. An additional fee may be charged before the third preliminary and subsequent reviews. The plan review fee may be adjusted upward at the time of plan approval to reflect changes from the first submittal.

SECTION 4 INSPECTION FEE

Prior to the issuing of a construction permit, an inspection fee, per Article VIII Schedule of Fees, shall be paid. This fee shall cover the cost of four inspections. Further inspections may be provided at no cost unless they result from the permit holder failing to do the required work, in which case additional inspection fees shall be charged to the permit holder's deposit.

SECTION 5 PERMIT FEE

At the time a permit is issued, a permit fee in accordance with Article VIII Schedule of Fees shall be paid. This fee shall cover the cost of processing the permit.

SECTION 6 MATERIAL AND SERVICES FEE

A material and services fee shall be charged per Article VIII Schedule of Fees for any work to be done by District forces. This fee shall be paid prior to issuing of a construction permit and shall cover the cost of District forces doing work as part of construction.

**ARTICLE VI
INSURANCE AND CASH DEPOSITS**

SECTION 1 INSURANCE REQUIRED

A contractor who applies for a permit shall maintain, on file with USD, an insurance certificate evidencing the following insurances:

- a) Worker's Compensation
- b) Public Liability (\$1,000,000.00 minimum)

SECTION 2 PURPOSE OF CASH DEPOSIT FOR SEWER CONSTRUCTION PERMITS

The District finds that the work of constructing, installing and repairing of sewers vitally affects the operation of the District's sewer system and has an adverse and deleterious effect upon it unless the work is inspected by the District. The reason for requiring a cash deposit from an applicant as provided in this section is to prevent damage to District and private facilities and additional expense in case of poor or improper workmanship and materials and to ensure high construction standards.

SECTION 3 DEPOSIT FOR MAIN SEWER CONSTRUCTION

A cash deposit or surety bond in an amount established by Article VIII Schedule of Fees, shall be submitted to the District for main sewers prior to the issuance of a permit for the construction, installation, or alteration of a main sewer. Any cash deposit will be refunded after one year from the date of acceptance. An exception to this requirement is where the municipality within which the work is to be performed requires the filing of a faithful performance bond guaranteeing correction of defects due to faulty, improper, or inferior workmanship or materials arising or discovered within one year after acceptance of the work. In this case, no additional cash deposit or surety bond is required.

SECTION 4 DEPOSIT FOR PRIVATE SEWER CONSTRUCTION

An applicant for a permit, and a developer for the construction, installation or alteration of a private sewer shall deposit with the District, the amount established in Article VIII Schedule of Fees. This deposit shall be refunded within 60 days after acceptance of the project by the District.

SECTION 5 DEPOSIT FOR HOUSE SEWER REPAIR, ALTERATION, OR INSTALLATION

An applicant for a permit to repair, alter, or install a house sewer(s) shall deposit with the District, the amount established in Article VIII Schedule of Fees. This deposit shall be refunded within 60 days after acceptance of the sewer by the District, or if the Deposit is for a tract of houses, within 60 days after the last house is accepted.

SECTION 6 FAILURE OF A PERMIT HOLDER TO CORRECT WORK

A permit holder shall have ten days to correct any work, or respond in writing, after the District gives notice to correct deficient work. If the District Engineer, upon review of the written response, finds that there is insufficient reason for the permit holder not to correct the deficient work, the permit holder shall have five days to correct the said work. Failure to correct the deficient work in accordance with the schedule above will result in forfeiture of the deposit to the District. The District may then take corrective action as it determines necessary to complete the work.

**SECTION 7 FAILURE TO CORRECT THE WORK AND THE WORK
CONSTITUTES A DANGER**

If a permit holder fails to correct any work within five days after notification in writing, and in the opinion of the District Manager the work constitutes a danger to the public or District facilities, or that the District forces cannot correct the work, the work shall be disconnected by District forces. The cost of this disconnection shall be deducted from the deposits.

**SECTION 8 INCREASE IN DEPOSIT OR SUSPENSION FROM WORK IN THE
DISTRICT**

If a permit holder fails to correct the work on two permits within a one-year period, the required deposit may be doubled. Further failures to correct the work may result in additional increases or disallowance of the permit holder to obtain another permit within the District's boundaries.

SECTION 9 UNRETURNED DEPOSITS

Deposits paid prior to the adoption date of this resolution, that are associated with defective work that has not been corrected for over 90 days after the initial notice to correct the deficient work, will be forfeited to the District. Notification to depositors will consist of a mailing to the depositors' last known address and a public notice containing a list of depositors through a local newspaper of general circulation. Publication shall be circulated once a week for two weeks following adoption of this resolution.

ARTICLE VII GENERAL REGULATIONS

SECTION 1 STANDARD SPECIFICATIONS

Main, private and house sewer lines and appurtenances shall be constructed, repaired, or altered in accordance with the latest revision of the District's Standard Specifications as adopted by the District's Board or the latest revision of the Uniform Plumbing Code. In all cases the District's Standard Specifications shall take precedence.

SECTION 2 REPAIR WORK ON MAIN SEWERS

If a person or company damages a sewer within the District, the District may proceed to make the necessary repairs and the party responsible for the damages shall compensate the District for the cost thereof. If in the opinion of the District Engineer the repair work cannot be done by District forces, the District shall have the right to hire an outside contractor. In the event an outside contractor is hired, the party responsible for the damage shall compensate the District for all costs related to the repair.

SECTION 3 MAINTENANCE OF PRIVATE OR HOUSE SEWERS

The property owner shall be responsible for the maintenance of all private or house sewers. If a private or house sewer is found not to be properly maintained, this condition shall be declared a public nuisance and the abatement of said nuisance shall be as set forth in the District's Wastewater Discharge Ordinance.

SECTION 4 MAINTENANCE OF MAIN SEWERS

Whenever a main sewer in a public right-of-way has been constructed to the satisfaction of the District, the District shall maintain said main sewer.

SECTION 5 CONNECTION OF BUILDING DRAINS

Every building in which plumbing fixtures are installed shall be separately and independently connected with a main sewer or septic tank. Where there is more than one building on a lot and where the lot cannot be subdivided under the provisions of any local regulations, a separate sewer will not be required.

SECTION 6 SEPTIC TANKS

Where there is no available main sewer within 200 feet measured along streets, alleys, avenue, or public rights-of-way upon which a lot abuts, the building sewer may be connected with septic tanks when permitted by the local health department having jurisdiction over such installation, and provided further that whenever a main sewer is extended within the 200 foot limit as described above, then the aforesaid septic tank must be abandoned when directed by the focal health department and the building sewer connected to the main sewer.

SECTION 7 PAYMENT OF FEES BEFORE CONNECTION

Until all fees and deposits, including costs of repair work on main sewers are paid or appropriate arrangements for payment have been agreed upon, no connection to District main sewers will be allowed.

**ARTICLE VIII
SCHEDULE OF FEES**

SECTION 1 DOCUMENT REVIEW FEE

- a) Easements, Deeds and Quitclaims \$50.00
- b) Encroachment permits \$25.00

SECTION 2 PERMIT FEE

Permit fees will be charged at \$5.00 each.

SECTION 3 PLAN REVIEW FEE

- a) Two preliminary and one final review
 - 1. 2.5% of construction costs **or**
 - 2. \$50.00 minimum
- b) Additional reviews charged at 30% of initial plan check fee.

SECTION 4 INSPECTION FEE

- a) 4.0% of construction costs **or**
- b) Main Sewers: \$50.00 minimum
- c) Private or house sewers:
 - 1. Main to Property Line: \$40.00 minimum/connection
 - 2. Property Line to building or house: \$50.00 minimum/connection

SECTION 5 SCHEDULE OF CONSTRUCTION COSTS (used for calculating plan review and inspection fees, and, permit holder and developer deposits).

Item	Unit	Cost
Manhole (Type II)	Each	\$5,600.00
Manhole (public or private)	Each	\$3,500.00
Drop Manhole (connection)	Each	\$1,000.00
Risers	Each	\$800.00
Nottingham Box	Each	\$4,300.00
Grease-Sand Trap	Each	\$2,150.00
Cleanout to Grade	Each	\$375.00
12 inch Sewer	Linear Feet	\$120.00
10 inch Sewer	Linear Feet	\$100.00
8 inch Sewer	Linear Feet	\$80.00
6 inch Sewer	Linear Feet	\$60.00
4 inch Sewer	Linear Feet	\$40.00
Sewer in Easement (additional charge)	Linear Feet	\$10.00
Abandon Sewer	Linear Feet	\$11.00
Abandon Septic Tanks	Each	\$1,300.00
Abandon Manhole	Each	\$900.00

NOTE: The cost of items not listed will be estimated by the District Engineer.

SECTION 6 MATERIAL AND SERVICES FEE (used for calculating fees associated with work performed by District Forces).

	Description of Work	Unit	Fee
a.	Install stub and channel manhole (Work inside manhole only)		
	1. 6", 8", 10" stub into a manhole base	Each	\$1,665.00
	2. 12" or larger stub into a manhole base	Each	\$2,500.00
b)	Channel new manhole		
	1. 6" to 10" main	Each	\$832.00
	2. 12" to 18" main	Each	\$1,000.00
	3. 21" or larger main	Each	\$2,000.00
c)	False Bottom		
	1. Install and remove	Each	\$350.00
d)	Adjust manhole to grade		
	1a. Structural adjustment with reference points, false bottoms, and asphalt concrete	Each	\$700.00
	1b. In addition to 1a. above, for additional work including: excavation; removal; and replacement and/or installation of cone and/or barrel section	Each	\$2,220.00
	2. Asphalt concrete overlay using riser rings up to 3" in height, including reference points	Each	\$465.00
	3. Asphalt concrete including adjustment of existing casting	Each	\$635.00
e)	Pipe repairs less than 10 feet in length (cut & repair only)		
	1. 4" and 6" lateral	Each	\$568.00
	2. 6" and 8" main	Each	\$683.00
	3. 10" and 12" main	Each	\$903.00
f)	Wye or tee splices (cut and install only)		
	1. 6" to 12"	Each	\$680.00
g)	*Television inspection		
	1. Laterals	Each	\$365.00
	2. Mains, in excess of 1000 ft in length (time -and- material basis, otherwise)		
	\$0.42 Cleaning +\$1.10 TV	Per Ft.	\$1.52
	• TV only	Per Ft.	\$1.10
	*If laterals need additional work prior to TV, such as, snaking, repairs, or installing a cleanout, additional charges will be based on a time-and-material basis		
h)	Cleanouts		
	1. Install	Each	\$864.00
	2. Raise cleanout to grade and install cleanout box	Each	\$375.00
i)	Miscellaneous		
	1. Install and remove temporary plug	Each	\$350.00
	2. Catch debris	Each	\$350.00

	Description of Work	Unit	Fee
	3. Dye tracing	Each	\$250.00
	4. Ferret tracing	Each	\$250.00
j)	Unforeseen conditions may increase the time and charges to complete work.		
k)	Additional work will be charged based on a time-and-material basis.		
l)	Contractors will be required to sign a work order.		
m)	USD work guaranteed for 12 months.		

SECTION 7 PERMIT HOLDER DEPOSITS

a)	Main Sewers	50% of Construction Costs
b)	Private Sewers	1. \$2,500.00 per permit, or 2. \$5,000.00 cash, check or Certificate of Deposit made payable to Union Sanitary District
c)	House Sewers (Repair, alteration, or installation)	1. \$500.00 per permit, or 2. \$2,500.00 per tract, or 3. \$5,000.00 cash, check or Certificate of Deposit made payable to Union Sanitary District

SECTION 8 DEVELOPER DEPOSITS

Developer deposit is 10% of Construction Cost of any structure.

SECTION 9 FEE FOR FAILING TO OBTAIN A PERMIT

The fee for failing to obtain a permit is a minimum of \$50.00 or 50% of Inspection Fee, whichever is greater.

**ARTICLE IX
REPEAL**

Ordinance 34.02 is hereby repealed.

**ARTICLE X
EFFECTIVE DATE**

This Ordinance shall take effect and be in force September 1, 2002 and at least one week prior to said date it shall be published once in THE ARGUS, a newspaper of general circulation published in the UNION SANITARY DISTRICT. This ordinance shall be entered in the minutes of the District.

**ARTICLE XI
SEVERABILITY**

If any provision of this Ordinance or any subdivision thereof, or any application thereof, to any person or circumstance is held invalid, the remainder of this Ordinance or the subdivision, or the application of such provision to other persons or circumstances shall not be affected thereby.

On motion duly made and seconded, this Ordinance was adopted after public hearing by the following vote on June 24, 2002:

AYES:

NOES:

ABSTAIN:

ABSENT:

JENNIFER TOY
Chairperson, Board of Directors
UNION SANITARY DISTRICT

ATTEST

TOM HANDLEY
Secretary, Board of Directors
UNION SANITARY DISTRICT