

Attachment 2

14.02.020 Definitions.

Unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association (A.W.W.A.) and the Water Pollution Control Federation. The testing procedures for waste constituents shall be performed pursuant to the Victor Valley Wastewater Reclamation Authority (VWVRA) guidelines and may be amended from time to time.

The words and phrases appearing hereinafter are defined and shall be construed as hereinafter set forth, unless it shall be apparent from the context that they have a different meaning. Words not defined in this section shall use definitions found in Section 1.04.050 of the Hesperia Municipal Code.

"Applicant" means any person applying for water or wastewater service.

"Backflow device" means any backflow device as defined in compliance with Title 17 of the Administrative Code of the state of California.

"Biochemical oxygen demand" or "B.O.D." means the quantity of oxygen utilized in the biological oxidation of organic matter under standard laboratory procedure in five days at twenty (20) degrees centigrade expressed in terms of mass per volume (mg/L).

"Board" means the Board of Directors of the Hesperia Water District.

"By-Pass" means any tool, apparatus, or similar device not authorized by the district, used to connect to the curb stop, to obtain water from the district.

"Capital facilities charge" means a fee as established by the board payable to the district upon application for and before installation or approval of installation of any new water or wastewater service.

"Chair" means the chairperson of the district or other person designated by the board to perform the services or to make the determinations as permitted or required under this code.

"City" means the City of Hesperia.

"Code" means the Hesperia Municipal Code.

"Construction meter" means a temporary meter rendered for grading construction work and other uses of limited duration, as authorized by the district.

"Consumption charge" means the charge for water consumed, both actual and estimated.

"Contractor" means any person who performs the work of installing or connecting mains, submains, laterals, or building sewers to the public sewer.

"Cost" means the cost of labor, material, transportation, supervision, engineering, and all other necessary overhead expenses.

"County" means the County of San Bernardino.

"Critical wastewater discharger" means a collection system non-residential discharger that generates either a significant amount of flow and/or constituents of the flow require pre-treatment to meet the requirements of the Victor Valley Wastewater Reclamation Authority, and state and federal Clean Water Acts.

"Cross connection" means 1) any physical connection between the piping system from the district service and that of any other water supply which is not, or cannot be, approved as safe and potable for human consumption, whereby water from the unapproved source may be forced or drawn into the district's distribution mains, and 2) any connection or arrangement, physical or otherwise, between a potable water supply system (the district) and any plumbing fixture; or any tank, receptor, equipment, or

device, through which it may be possible for non-potable, used, unclean, polluted, and/or contaminated water, or other substance to enter any part of such potable water supply system under any condition.

"Curb stop" means a shut-off valve located on the district's side of the meter, for the district to control water service to the meter.

"Customer" means any person supplied or entitled to be supplied with water or wastewater service by the district.

"Customer's shut-off valve" means a shut-off valve independent of the district property and located on the customers' side of the water meter, for the convenience of the customer to control their water supply.

"Deposit" means funds held by the district as a guarantee.

"Developer" means any person who shall construct or develop any property which may require water or wastewater service from the district.

"Development" means a parcel of land on which one or more dwelling units, commercial or industrial buildings, or other improvements are built.

"Discharger" means any person who discharges or causes a discharge of wastewater directly or indirectly to a public or private sewer.

"Disconnection of service" means discontinuing water supply to the customer by locking meter, pulling meter, crimping and capping district service line, turning off at the curb stop, or any other necessary means.

"District" means the Hesperia Water District.

"District engineer" means the city engineer.

"District property" means any and all water components related to the water system, commencing at the check valve or water meter, if no check valve is present, continuing throughout the entire network of the district, including but not limited to plant sites and related properties. District property also includes any and all components related to the district wastewater system commencing at the lateral cleanout, continuing throughout the entire network of district wastewater system.

"District sewerage facility" or "district wastewater facility" means any property belonging to the district used in the treatment, reclamation, reuse, transportation, or disposal of wastewater.

"Domestic wastewater" means liquid wastes: (a) from the non-commercial preparation, cooking and handling of food; and/or (b) containing human excrement and similar matter from sanitary conveniences of dwellings, commercial buildings, industrial facilities and institutions.

"Effluent" means wastewater discharged from the district.

"Equivalent dwelling unit" or "EDU" means the quantity and quality of domestic wastewater discharged from a standard or average single-family dwelling unit, having approximately twenty-two (22) plumbing fixture units capable of contributing two hundred fifty (250) gallons per day of domestic sewage.

"Fats, oils, and grease (FOG)" means any vegetable or animal product that is used in or is a by-product of the cooking of food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

"Fee schedule" means the schedule of fees, rates, and charges established by the district, city, VVWRA, or other agency related to water and wastewater services, including but not limited to service charges, consumption charges, connection fees, and inspection fees.

"Garbage" means solid wastes from the domestic or commercial preparation, cooking and dispensing of food, or from the handling, storage or sale of food.

"General manager" or "district manager" means the city manager.

"Improvement agreement" means a written agreement entered into by and between the district and an applicant for water service from the district, whereby the applicant agrees to furnish or pay for such improvements and appurtenances to the water system of the district as may be required to enable the district to furnish the requested water service.

"Improvement district" means any territory formed into a district pursuant to Section 31575 of the California Water Code.

"Ingress and egress" means the right to enter and exit an owner's or customer's premises.

"Interruptions in service" means a time period without water available or with a substantial change in water pressure or flow.

"Main" means pipelines located in streets, highways, alleys, easements or rights-of-way which are used for water distribution and transmission.

"Mass emission rate" means a weight of material discharged to the wastewater system during a given time interval. Unless otherwise specified, the mass emission rate is expressed in pounds per day of a particular constituent or combination of constituents.

"May" denotes that the related conduct or procedure is permissive and not mandatory.

"Milligrams per liter" or "mg/L" means the number of milligrams of a substance in one liter of water or other liquid.

"National Pollution Discharge Elimination System" or "NPDES" means the Federal Pollution Regulation System as detailed in Public Law 92-500 Section 402.

"Owner" means the person or persons whose name(s) are recorded on the deed for a given property, and/or the person in legal possession of the property, or an executor, administrator, guardian, or trustee of the owner.

"Permit" means any written authorization required pursuant to this chapter, the code, or any other regulation of the district.

"Person" means an individual or company, association, co-partnership, or public or private corporation.

"Pollutant" means any constituent or characteristic of wastewater on which a discharge limitation may be imposed either by the district or by a regulatory body of competent jurisdiction.

"Premises" means a lot or parcel of real property under one ownership, except where there are well defined boundaries or partitions such as fences, hedges or other restrictions preventing the common use of the property by several occupants, in which case, each portion shall be deemed separate premises. Apartment houses, offices, commercial and industrial buildings may be classified as single premises.

"Pressure regulator valve" means a valve used to control water pressure.

"Pretreatment" means treatment that the district may require prior to permitting discharge of sewerage into any district sewerage facility.

"Private fire protection service" means water service and facilities for building sprinkler systems, hydrants, hose reels, and other facilities installed on private property for fire protection, and the water available therefor.

"Private sewer lateral" or "PSL" means that part of sewer piping that extends from the building or structure to the connection point of the sewer main.

"Public agency" means the district or other governmental body duly organized under the laws of the state of California.

"Public sewer" means a sewer owned and operated by the district or other local governmental agency, and as to which the district possesses direct or indirect regulatory powers.

"Reconnection" means restoring water/sewer service.

"Secretary" shall be the city clerk.

"Section" means a section of this code unless some other chapter, ordinance, or statute is intended from the content.

"Service charge" means the flat rate based upon the size or type of meter.

"Sewage" means wastewater.

"Sewer charge" means the flat rate charged based on the number of equivalent dwelling units (EDU) assigned to an account.

"Shall" denotes that the related conduct or procedure is mandatory and not permissive.

"Standard methods" means methods and procedures described in the current edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

"Street" means any public highway, road, street, drive, avenue, alleyway, court, easement or right-of-way.

"Storm water" means rain water, surface water, ground water, roof run-off, sub-surface drainage, cooling water or unpolluted industrial process water.

"Tampering" means any unauthorized bending, cutting, stretching, removing, damaging, or similar actions of locking devices, meter, or other district property. Tampering also includes any unauthorized use of the curb stop, breaking a seal on a meter, or removing the head of a water meter or any other property of the district.

"Termination of service" means the period for which the customer's responsibility for the water/sewer service terminates, either by written request of the customer or at the district's discretion.

"User" means any person, firm, partnership, association, corporation, or political entity, who discharges, causes, or permits a discharge directly or indirectly to a district sewer.

"Vice chair" means the mayor pro tem of the city.

"VWVRA" means the Victor Valley Wastewater Reclamation Authority.

"Water waste" means any unreasonable or non-beneficial use of water, or any unreasonable method of use of water, including, but not limited to the specific uses prohibited and restricted by this chapter as hereinafter set forth.

"Wastewater" means sewage and/or waste substances and water, whether treated or untreated, discharged into or permitted to enter a district sewer, or private system.

"Wastewater facilities" or "sewage facilities" means any facility or facilities used in the conveyance, pumping, and treatment of wastewater.

"Water" means that water supplied by the Hesperia Water District.

"Water/sewer service" means water/sewer and facilities rendered for normal domestic, commercial, irrigation, and industrial purposes on a permanent basis, and the water/sewer available therefor.

"Water supply shortage" means any water shortage caused by drought or any other threatened or existing water shortage, disaster or facility failure, earthquake, extended loss of electrical power, pipe line failure, or other condition which results in or threatens to result in the district's inability to meet the water demands of its customers.

"Water user" means any person, firm, partnership association corporation or political entity using water obtained from the water system of the district.

14.08.030 Maintenance of private sewer laterals (PSL).

The owner(s) of any new commercial, industrial, multi-family and single-family residential property connecting to the local wastewater collection system shall be required to maintain the wastewater laterals from their building or structure to the connection point of the sewer main wastewater cleanout required at the property line at their own expense. The district's responsibility is shall be limited to maintain wastewater laterals within street rights-of-way, manholes, and district main line sewers, and appurtenances related to the conveyance of wastewater. The district will retain responsibility for the maintenance of the private sewer laterals from the property line to the sewer main for existing single-family residential, commercial, industrial, and multi-family properties that were connected prior to the effective date of this ordinance.

Each property owner shall, at the property owner's expense, inspect, maintain in good working order, repair, and replace, as necessary, the PSL so that it does not cause or contribute to any sewage overflow from the PSL or the public sewer. The PSL shall be free of open joints, cracks, leaks, root intrusion, inflow, infiltration of groundwater, fats, oil, grease, or any other similar conditions, defects, or obstructions likely to cause or contribute to blockage of the PSL or the district's main line sewer. Where such maintenance requires excavation or replacement of existing sewer facilities, the owner shall apply for and receive an encroachment permit as per Title 12, Chapter 12.12. Section 12.12.060.