# DOUGLAS COUNTY LAKE TAHOE SEWER AUTHORITY
# OPERATIONS ORDINANCE

AN ORDINANCE REGULATING THE INSTALLATION AND MAINTENANCE OF PRIVATE AND COMMUNITY WASTEWATER COLLECTION, TREATMENT, EXPORT AND REUSE SYSTEM WITHIN DOUGLAS COUNTY LAKE TAHOE SEWER AUTHORITY; PROVIDING FOR SEWER CONNECTIONS AND THE DISCHARGE OF SEWAGE INTO AND THROUGH THE SANITARY SEWERS OF SAID AUTHORITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND FIXING THE FEES THEREFORE; PROVIDING FOR PROCEDURES FOR ANNEXATION AND FIXING FEES THEREFORE; PROVIDING FOR THE RAISING OF ADDITIONAL FEES AND OTHER FUNDS TO MEET EMERGENCIES OR TO PROVIDE FOR CONSTRUCTION OF MODIFICATIONS AND IMPROVEMENTS; PROVIDING FOR REIMBURSEMENT OF EXCESS COSTS; PROVIDING FOR MAINTENANCE AND OPERATION CHARGES; PROVIDING FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE; AND REPEALING ALL PRIOR ORDINANCES AND RESOLUTIONS IN CONFLICT HEREWITH.

The Board of Trustees of the Douglas County Lake Tahoe Sewer Authority of Douglas County, Nevada, does ordain as follows:

## ARTICLE I

## DEFINITIONS

For the purpose of this Ordinance, the terms used herein are defined as follows:

SECTION 1.01: APPLICANT is any individual, firm, partnership, company, corporation, association or governmental agency or any agent or other representative of the foregoing entities filing with the Authority an application for connection or annexation.

SECTION 1.02: AUTHORITY is the Douglas County Lake Tahoe Sewer Authority as established by the Douglas County Lake Tahoe Sewer Authority Act in 2017.

SECTION 1.03: AUTHORITY BOARD is the Board of Trustees of the Authority.

SECTION 1.04: AUTHORITY MANAGER is the person described in Section 2.03 herein.

SECTION 1.05: AUTHORITY SEWER is any sewer line which is owned and maintained by the Authority and serves more than one lateral.

SECTION 1.06: AVERAGE DAILY FLOW represents the flow measured or determined in gallons over a 24-hour period for determining capacity fees.

SECTION 1.07: COMMERCIAL USER is defined as any connector discharging water carrying waste from any structure used other than as a residential dwelling. Commercial wastewater includes but is not limited to waste from hotels, motels, casinos, restaurants or laundries, or waste resulting from a commercial establishment, including washing and cleaning or drain water from such processes.

SECTION l.08: CONNECTOR is any person that connects any lateral to any Authority Sewer.

SECTION 1.09: COUNTY is Douglas County, Nevada.

SECTION 1.10: DOMESTIC USER is defined as any connector discharging water carrying human or kitchen waste conducted from a residential dwelling including flows generated from multi-family residences.

SECTION 1.11: INSTALLER is any person that installs sewers within the boundaries of the Authority for connection to the Authority sewer system.

SECTION 1.12: LATERAL is that portion of the sewer from the Authority-maintained sewer to the foundation of the private structure or the facilities to be served or to be connected to serve a single property or owner.

SECTION 1.13: N.R.S. is the Nevada Revised Statutes.

SECTION 1.14: OWNER is the owner in fee, or rightful occupant, of any premises within the Authority.

SECTION l.15: PARTICIPATING DISTRICTS. Any general improvement district organized under chapter 318 of NRS or other public entity within the service area of the Authority and its wastewater facilities.

SECTION 1.16 PERSON is any individual, firm, partnership, company, corporation, association or governmental agency.

SECTION l.17: PREMISES is any lot, parcel of land, building, or establishment.

SECTION 1.18: RESIDENTIAL USER is an occupant of any single-family dwelling or multiple-family residential dwelling unit.

SECTION 1.19: SEWER consists of the pipes which convey sewage.

SECTION 1.20: SEWERAGE SYSTEM is the pipes, pumps, valves, tanks, basins, reservoirs, buildings, works, machinery, the treatment plant and all

other facilities, improvements and appurtenances necessary for the collection, treatment, export and reuse of wastewater emanating from the service area of Authority.

SECTION 1.21: STREET is any public highway, road, street, avenue, alley way, easement or right of way.

SECTION 1.22: TITLE refers to the title of this Ordinance which shall be Ordinance 2024 for Douglas County Lake Tahoe Sewer Authority.

SECTION 1.23: USER is any owner, renter or occupant of any premise connected to a Sewer.

SECTION 1.24: WATER SYSTEMS consist of the pipes, pumps, valves, tanks, treatment works and all other facilities and appurtenances necessary for the treatment and distribution of potable water.

SECTION 1.25: WILL-SERVE LETTER is a letter from the Authority to a potential applicant stating the Authority's intent to provide sewer service subsequent to an application being filed and based on the terms and conditions set forth therein.

## ARTICLE II

## GENERAL PROVISIONS

SECTION 2.01: RULES AND REGULATIONS. These rules and regulation providing for the construction and use of Authority Sewers and Laterals and the issuance of permits by the Douglas County Lake Tahoe Sewer Authority of Douglas County, Nevada, are hereby adopted and all matters with respect thereto shall be performed as herein specified and not otherwise. Nevertheless, the Authority Board expressly reserves the right to liberally interpret this Ordinance and all subparts hereof in order to fully effectuate the best interests of the Authority.

SECTION 2.02: PURPOSE. This Ordinance is intended to provide certain minimum standards, provisions and requirements for the Authority Sewers and private sewer laterals hereafter installed, altered or repaired; and, also, to provide for the issuance of permits and penalties for violations of the provisions thereof. It shall also provide for annexation, the manner of calculation and payment of fees and costs and all other matters properly relating thereto. This Ordinance shall not apply retroactively, and, in the event of alterations or repairs hereafter made, it shall apply to the procedures used therewith. It is expressly the intent of the Authority to comply with applicable federal, state and local laws to ensure that the

distribution of the operation and maintenance costs of the treatment plant shall be equitably spread among all users within the Authority.

SECTION 2.03: AUTHORITY MANAGER. There is established the position of Authority Manager, who shall be appointed by and hold office at the pleasure of the Authority Board. The Manager's duties shall be as prescribed by said Board, by contract and by this Ordinance.

SECTION 2.04: CONTRACTOR'S LICENSE. Except as provided in Section 2.05 hereof and in case of clear emergency, it shall be unlawful for any person to install or construct any Authority sewer or lateral, make connections to any Authority sewer or to perform any work or improvement on the wastewater treatment works or its appurtenances, who is not licensed under the State Contractor's License Law (Chapter 624 of N.R.S.) of the State of Nevada. All such contractors must register with the Authority Manager prior to commencing or carrying out any such work within the Authority in order to ensure compliance with the foregoing.

SECTION 2.05: CONTRACTOR'S BOND AND INSURANCE. Contractors may be required to file a certificate of insurance with the Authority showing adequate public liability and property damage insurance, and workman's compensation coverage and may be required to carry adequate bonds covering performance and payment for labor and materials in amounts specified by the Authority to insure the protection of the Authority, its officers, employees and agents.

SECTION 2.06: ROAD ENCROACHMENT PERMITS. No excavation shall be made which may affect the pipelines or appurtenances of the Authority's sewerage system in any State highway, County road, or other public roadway or Street within the Authority unless and until a road encroachment permit is issued, therefore. Application for said permit shall be made at the office of the appropriate government agency.

SECTION 2.07: CONSTRUCTION. All construction shall be in accordance with the plans and specifications approved by the Authority.

SECTION 2.08: OWNERSHIP OF LINES. The Authority will not accept or maintain any sewer to which it does not have full and complete title at the time of rendering such services.

SECTION 2.09: TRENCHES - INSPECTIONS. All trenches shall be left open and all laterals must be left uncovered for inspection until after the inspection has been made and the pipe installation accepted by a representative of the Authority. Upon approval after such inspection, trenches shall be backfilled without delay and the street or roadway restored to its condition prior to commencement of construction.

SECTION 2.10: BARRIERS AND LIGHTS. Installer and/or Connector shall maintain such barriers, lights and signs as are necessary to give warning to the public at all times during construction and of any dangerous condition to be encountered in consequence thereof. Installer shall likewise protect the public in the use of walkways against any such conditions in the conjunction with the construction of Authority sewers or laterals.

SECTION 2.11: INSPECTION - PREVIOUS NOTICE. In all cases when any inspection is required, not less than twenty-four (24) hours' notice shall be filed in the office of the Authority Manager stating the time when the work will be sufficiently advanced for inspection.

SECTION 2.12: RESPONSIBILITY FOR DEFECTS. Any person performing or permitted to perform work under this Ordinance shall be held strictly responsible for any and all acts of its agents or employees in connection with said work. Upon being notified by the Authority of any defect arising therefrom in any sewer or of any violation of the provisions of this Ordinance, the person responsible for said work shall take immediate steps to correct such defect or violation.

SECTION 2.13: CONDEMNED FACILITIES shall be defined as including any facilities deemed by the Authority to be incapable of carrying wastewater in a safe, healthy and efficient manner. If any sewer work is inspected and any portion thereof is condemned by the Authority, a written notice to that effect shall be given informing the owner of the Premises, or the agent of such owner, to make repairs necessary to place the sewer in satisfactory condition or to replace, or in the judgment of Authority, remove such facilities.

SECTION 2.14: LIABILITY. The Authority, its officers, employees and agents shall not be answerable for any liability for personal injury or loss of life or damage to any property consequent to the performance of any of the herein described work by any such Applicant. The Applicant shall save and hold harmless the Authority, its officers, employees and agents from any such liability imposed upon the Authority, its officers, employees, and agents including all costs, expenses, fees and interest incurred in legal defense or in the enforcement of work or any failure which may develop therein.

SECTION 2.15: CONDITIONS. The Authority reserves the right to impose reasonable conditions on any permit granted hereunder.

SECTION 2.16: EXPIRATION OF PERMITS AND WILL-SERVE LETTERS. Any permit or will-serve letter issued under this Ordinance shall expire and become null and void unless work pursuant thereto shall be commenced or diligently pursued within one (1) year of the date of issuance.

## ARTICLE III

## AUTHORITY SEWERS

SECTION 3.01: APPLICATION FOR PERMIT. Application for permission to construct a sewer in the Authority shall be made to the Authority Manager on a form provided by the Authority. Approval for the design, specifications, methods of construction, and inspection of the sanitary sewerage facilities to be installed remains with the Authority. Installer's proposed sewerage system must conform to any standard or requirements established by the Authority as well as the written plans and specifications approved by the Authority.

SECTION 3.02: CONSTRUCTION BY THE AUTHORITY. When sewers are constructed by Authority on behalf of the connector or installer at the direction of the Authority, the work shall proceed in accordance with written plans and specifications which shall include payment provisions as prescribed by the Authority in accordance with this Ordinance.

SECTION 3.03: CONSTRUCTION BY INSTALLER OR CONNECTOR. The following requirements shall be met prior to approval by the Authority of any sewer extension project which is to be constructed by persons other than employees or contractor of the Authority.

A. Installer or connector shall furnish the Authority with drawings, plans, details, and specifications of the proposed facilities planned to be connected to the Authority's sewer as prepared by a Nevada licensed professional engineer or Nevada licensed architect inclusive of topographic data sufficient to fully describe the conditions (e.g., existing utility locations, depths of existing sewers, diameter of existing sewers and storm drains, etc.) within the project area. Installer or Connector shall not permit the work to proceed until after the Authority has reviewed and approved the drawings, plans, details and specifications, and arrangements have been made for inspection of the work by the Authority.

B. Installer or Connector shall pay in advance all connection fees due and necessary plan checking and inspection fees, and the Authority shall have the right to charge and the installer shall pay the engineering fees charged by Authority for such work as may be completed on behalf of the Authority.

SECTION 3.04: REFUNDS. In the event of cancellation of a project for extension of sewers for any reason, Connector or Installer may apply for and the Authority may, in its discretion, grant a refund of any fees or deposits previously paid by Connector or Installer. In such event, The Authority shall deduct from such refund that amount which the Authority determines to be proper in order to recompense the Authority for costs incurred by it in connection with said project.

SECTION 3.05: OVERSIZING COST. All oversized, beyond the applicant's need, on-site or off-site trunk sewer mains (10" in diameter or over) required by the Authority will be constructed at the applicant's expense. Upon connection to the sewer system, the applicant shall dedicate all such oversized trunk sewer mains to the Authority and upon dedication, the Authority will operate and maintain all such trunk sewer mains. Upon approval by the Board of Trustees, the Authority shall reimburse the applicant for the additional cost incurred for the increased size of such trunk sewer mains and/or other facilities based on the following guidelines:

(1) The Authority Engineer shall determine the cost of the construction for the oversized trunk sewer main (10" in diameter or over) over and above the cost of the sewer main and/or facilities that the applicant would expend if the construction of the sewer main were of the size, design and capacity sufficient to serve only the interest of the applicant. This excess cost shall then be divided by the length of the trunk sewer main, the 'unit cost."

(2) Any and all new applicants for capacity connecting to the oversized trunk within a 10-year period (the Reimbursement Period) from the date of acceptance by the Authority shall pay to the Authority an amount based on the length of trunk sewer main situated on the new applicant's property multiplied by the unit cost (per foot cost) originally determined by the Authority Engineer. The Authority shall refund the reimbursement amount received with the Reimbursement Period to the original applicant who paid for the original construction of the oversized trunk sewer main. Refunds shall be made as follows:
    a. Refunds shall be made without interest;
    b. Refunds shall be made within 90 days after the Authority receives payment from new applicants connecting to the trunk sewer main.
    c. If two or more applicants or parties pay for the oversized trunk sewer main, refundable amounts will be distributed to each applicant or party in the same proportion as each individual's payment bears to the cost.

SECTION 3.06: TERMINATION OF RIGHT OF REIMBURSEMENT. The Installer shall be entitled to reimbursement until one of the following shall occur:

A. Reimbursement of an amount equal to the total reimbursable amount has been received and paid to Applicant.

B. The lapse of 10 years from the date of acceptance of the trunk sewer main.

C. Abandonment of said trunk sewer mains, or of the property sewered thereby.

## ARTICLE IV

## CONSTRUCTION OF LATERALS

SECTION 4.01: APPLICATION FOR PERMIT. Application for the construction or abandonment of Laterals shall be made to the Authority Manager, who shall issue permits and conditions of construction therefore in accordance with the rules and regulations of this Ordinance.

SECTION 4.02: SEWER CONNECTION. In the application for a permit to connect a Lateral to a Sewer, the applicant of the property to be served or the contractor representing the applicant shall advise the Authority of the location of such connection and extent of such work and shall state the time and day upon which such work shall be commenced. There shall be no deviation from the Authority-approved drawings, plans, details or specifications that accompanied the application, except by prior written approval of the Authority Manager.

SECTION 4.03: PERMIT ISSUANCE FEES AND DEPOSITS. The application must be approved before work commences. The Authority Manager is authorized and directed hereby to collect all fees, deposits and service charges which, by the provisions of this Ordinance, are payable by the Connector on or before the delivery of the permit to the Connector.

SECTION 4.04: SEWAGE BACKFLOW PROTECTIVE DEVICES. Due to the topographical characteristics of certain areas within the Authority, there exists the danger of damage to health and property resulting from the possibility of sewage overflow and back-flooding on public and private property. It is the purpose of this provision to protect the health, safety and general welfare of the residents, commercial users of the Authority facilities, as well as the public, and to minimize the possibility of damage to property, by requiring, where topographical and hydraulic conditions warrant, the installation and maintenance of an approved sewage backflow protective device.

A. Where the surface elevation of the nearest sewer structure capable of overflow and relief of pressure (i.e., manhole, flushing inlet) is higher than the elevation of the lowest floor containing drainage plumbing connected or to be connected to the Authority's sewer, there shall be installed and kept in operable condition at all times by the Owner at his sole cost and expense, a sewage backflow protective device (aka check valve).

B. The sewage backflow protection device shall be installed at a location approved by the Authority and constructed in a manner so that the condition of the device is serviceable and can be inspected by Authority personnel (e.g., in an accessible vault, crawl space, basement, etc.).

C. Installation of such sewage backflow protective devices shall be under the supervision and inspection of the Authority Manager or other agent of the Authority.

D. On or after the effective date hereof, it shall be unlawful for an owner to maintain any lateral connection to the sewer without an approved sewage backflow protective device as required by the provisions of this Ordinance.

SECTION 4.05: METERING OF SEWER FLOWS. Any commercial user who connects any lateral to any sewer shall install a water meter or other measuring devices as required by the Authority. The measuring devices shall be located in order to measure all of the water used by the establishment, except for water used on outside irrigated areas. Such measuring devices shall be installed in locations as to be readily and easily accessible for periodic reading by Authority representatives. The measuring devices shall read in gallons and be weather protected in a box, manhole, shed, or other suitable structure. Installation, type and capacity of devices shall be as approved by the Authority Manager. The purpose of the installation of the measuring devices is to provide a method of measurement of the water usage by the establishment which is discharging sewage into the Authority sewer. No reduction for any unmetered flow shall be allowed. The cost of the measuring devices and the installation thereof shall be the sole responsibility of the Owner. Where installed, measuring devices shall be maintained by the Owner, at the Owner’s expense, in continuously efficient operation at all times. Maintenance shall include periodic testing of devices which may be required by the Authority. Upon notification by the Authority of the necessity to replace or repair devices, they shall be so repaired or replaced within sixty (60) days by the Owner.

## ARTICLE V

## USE OF PUBLIC SEWERS

SECTION 5.01: PERMIT REQUIRED. Permits to discharge into the Authority sewers anything but domestic sewage will only be granted in accordance with, and in consideration of, the conditions of this Ordinance and shall be subject to reasonable rules, regulations, requirements and the prior written approval of the Authority. No person shall discharge or cause to be discharged any substances, materials, waters, or wastes if such can harm either the sewer collection system, the treatment process or equipment, have an adverse effect on the sewerage system, cause the Authority to violate the discharge requirements established by the Division of Environmental Protection, or can otherwise endanger health, safety, public property, or constitute a nuisance.

SECTION 5.02: TYPE OF SEWAGE. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes to any Authority sewer:

A. Any gasoline, benzene, naphtha, motor oil, fuel oil, or other flammable or explosive liquid, solid or gas.

B. Any garbage, except from a residential garbage disposal. The use of commercial garbage disposals, macerators or grinders is expressly prohibited.

C. Any ashes, cinder, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, manure, whether in solid state or in solution or any other viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewerage system.

D. Any waters or wastes having a pH (a measurement of alkalinity and acidity of sewage) lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to sewers, structures, equipment, and personnel of the sewerage system.

E. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the wastewater treatment plant.

F. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment

process, constitute a hazard to humans or animals, or create any hazard in the receiving waters of the wastewater treatment plant.

G. Any noxious or malodorous gas or substance capable of creating a public nuisance.

H. Substances which are not biodegradable.

I. Any substance in concentrations greater than the currently acceptable standards promulgated and adopted by the Nevada Division of Environmental Protection or any other regulatory agency having jurisdiction thereof as shall from time to time be provided for in the future.

J. Any storm water, surface water, groundwater, roof runoff, or subsurface drainage with the exception of washdown pads used for garbage container storage and cleaning. Any open washdown pad shall not exceed 300 square feet of area that will drain to the sewer. The washdown pad must discharge to an approved grease and oil interceptor prior to discharge to the sewer.

SECTION 5.03: QUALITY OF SEWAGE. The discharge into the public sewers of any waters or wastes having any of the following characteristics shall first be subject to the review and written approval of the Authority:

A. A 5-day Biochemical Oxygen Demand (BOD herein) greater than 300 MG/L; or

B. Containing more than 300 MG/L of suspended solids; or

C. Containing more than 100 MG/L of fat, oil or grease; or

D. Containing any quantity of substances having the characteristics described in Section 5.02, of this Article.

SECTION 5.04: PRELIMINARY TREATMENT; INTERCEPTORS. Where necessary, in the opinion of the Authority Manager, the Connector shall provide, at the Connector's expense, such preliminary treatment as may be necessary to reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 5.03, of this Article.

Grease and oil interceptors shall be provided and privately maintained in all commercial food establishments where food is prepared and the washing of dishes, pots and pans, utensils and food containers occur. Sand and oil interceptors shall be required for the proper handling of liquid wastes containing grease, oils, fuels, sand or other harmful

substances from a commercial establishment. Private residences are exempt from these requirements. All interceptors shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, water-tight and equipped with easily removable covers, and shall be effectively trapped and vented. Where installed, all grease, oil and sand interceptors shall be maintained by the Connector, at the Connector's expense, and in continuously efficient operation at all times. Plans, specifications and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval by the Authority, the Nevada State Health and the Douglas County Building Department and no construction of such facilities shall be commenced until said approval is obtained in writing.

SECTION 5.05: CONTROL MANHOLE. When required by the Authority, the Owner shall install, at the Owner's expense, a suitable control manhole in the portion of the lateral located on private property to facilitate observation, sampling and measurement of the wastes. Such manhole shall be accessible and safely located and shall be constructed in accordance with plans approved in writing by the Authority.

SECTION 5.06: SPECIAL PERMITS.

A. No statement contained in this Article shall be construed as preventing any special agreement or arrangement between the Authority and any Connector whereby waste of unusual strength or character may be accepted by the Authority for treatment, subject to payment therefore by the person or entity involved.

B. No Owner or user of a water system shall permit or allow return flow, such as treatment system backwash following its use, to the Authority's system without first obtaining a permit from the Authority in writing defining and limiting the terms thereof.

SECTION 5.07: PRECAUTIONS AGAINST ENTRY OF UNAUTHORIZED MATERIALS TO SEWER. Any physical connection to an Authority Sewer or to a Lateral connected to an Authority Sewer, from vessels, tanks or containers receiving any of the above-mentioned material and substances from which quantities of the aforesaid prohibited materials or substances could accidentally be discharged directly or indirectly into the Authority Sewers is prohibited.

SECTION 5.08: AUTHORITY PERSONNEL AUTHORIZED TO INSPECT PREMISES. The Authority Manager and other duly authorized employees and agents of the Authority, bearing identification, shall, in all cases affected by this

Ordinance, be permitted to enter upon all Premises for the purpose of (1)determining the size, depth, location and condition of any Sewer or storm drain connection, (2) determining the location of discharge connection of roof and surface drains and plumbing fixtures, (3) inspecting, observing, measuring, sampling and testing the quantity, consistency and characteristics of water and wastes being discharged into any public Sewer or natural outlet, and (4) inspect, observe, test and measure, or to take any other steps deemed necessary to ensure compliance with the intent and purpose of this Ordinance.

SECTION 5.09: SAMPLING AND TESTING. All measurements, tests, and analyses of characteristics of waters and wastes to which reference is made in this Ordinance shall be determined in accordance with the latest adopted edition of "Standard Methods for the Examination of Water and Wastewater" published jointly by the American Public Health Association, the American Water Works Association, and the Water Environment Federation, and shall be performed upon suitable samples taken at the control manhole. In the event that no special manhole has been required, the control manhole shall be considered to be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewerage system and to determine the existence of any hazards.

SECTION 5.10: ADDITIONAL CHARGES. The Authority hereby reserves the right to levy a surcharge against any owner or user for failing to meet the minimum requirements of this Ordinance after notice therefore and failure, refusal or neglect so to do. The amount so levied shall be that sum required to treat, correct or manage the deficiency in compliance herewith and shall be levied as a special assessment and collected by the Authority as with all other levies of assessments by the Authority.

## ARTICLE VI

## PROCEDURE AND FEES

SECTION 6.01: PROCEDURE FOR FILING AND PROCESSING APPLICATIONS FOR CONNECTION TO THE AUTHORITY'S SYSTEM. Each Applicant shall submit a formal written application for connection to the Authority's system to the Authority Manager. Each application shall be accompanied with an application fee and one (1) set of drawings, plans, details and specifications showing a plot plan of the parcel proposed to be developed, together with a legal property description therefore and a map showing the topography of the land to be served, the type and number of all fixtures and facilities to be connected to the sewer, the proposed water meter type and location and housing therefore; the type and size of all

major improvements, including, but not limited to the following: number of hotel rooms and bedrooms; the elevation of the lowest connection to the Authority's main sewer or trunk sewer, based upon North American Vertical Datum of 1988 (NAVD-88); and plans for construction of all Sewer facilities. Additional pertinent information shall be submitted upon request by the Authority.

The Authority Manager will then review the application and evaluate the estimated flows to be discharged from the proposed development. The Authority Manager shall then compute the following fees to be made payable to the Authority, if applicable: Plan Checking and Inspection fee; Capacity fee; and Reimbursement fees (if any). In addition, the Authority Manager shall review the planned improvements, to insure conformity with this Ordinance and all applicable standards.

All commercial and multiple residential projects may, in the discretion of the Authority Manager, require Board of Trustee's review and approval. All other applications shall be handled administratively by the Authority Manager. No work shall be permitted to proceed until arrangements have been made for inspection of the work by the Authority.

SECTION 6.02: APPLICATION FEE. Application fees shall be as follows:

A. Single family dwellings

| | |
|---|---|
| **1. New construction** | **$150.00** |
| **2. Remodel** | **$ 75.00** |
| **3. Abandonment** | **$ 75.00** |

B. Multiple housing

1. **New Construction - $150.00 for the first unit and $35.00 for each additional unit, not to exceed a total of $1,500.00.**
2. **Remodel - Same as New Construction.**
3. **Abandonment - $375.00**

C. Commercial, subdivision or other large developments

| | |
|---|---|
| **1. New Construction** | **$1,500.00** |
| **2. Remodel** | **$ 150.00** |
| **3. Abandonment** | **$ 375.00** |

SECTION 6.03: PLAN CHECKING AND INSPECTION FEE. All Applicants, Connectors and Installers shall pay the Authority a Plan Checking and Inspection fee. The amount of this fee shall be determined by the Authority Manager and shall be set at an amount which will reimburse the

Authority for any expense it may incur in connection with reviewing drawings, plans, specifications and inspections during the course of construction.

SECTION 6.04: CAPACITY FEE. All Applicants, Connectors and Installers shall pay the Authority the capacity fee in effect at the time of the application. Average daily flow shall be determined based upon a fixture unit count as set forth below.

Fixture Unit Values. Sewer drain fixture units (DFU) as listed in Table 709 of the IBC, latest edition:

| DFU - Drainage Fixture Units | | | |
|---|---|---|---|
| Individual Appliance, Appurtenance or Fixture | Minimum Size of Trap (inch) | Drainage Fixture Unit Values (DFU) | |
| | | Private | Public |
| Automatic clothes washers, commercial | 2 | | 3 |
| Automatic clothes washers, residential | 2 | 2 | |
| Bathroom (water closet, lavotory, bidet and tub/shower | 3 | 6 | |
| Bathtub | 1 1/2 | 2 | 2 |
| Bidet | 1 1/4 | 1 | |
| Bidet | 1 1/2 | 2 | |
| Dental unit, cuspidor | 1 1/4 | | 1 |
| Dental lavatory | 1 1/2 | | 1 |
| Dishwashing machine | 1 1/2 | 2 | 2 |
| Drinking Fountain | 1 1/4 | 0.5 | 0.5 |
| Floor drain, 3" | 3 | 6 | 6 |
| Floor drain, 4" | 4 | 8 | 8 |
| Food waste disposer | 2 | | 3 |
| Shower | 2 | 2 | 2 |
| Laundry Tub | 1 1/2 | 2 | 2 |
| Lavatory | 1 1/4 | 1 | 1 |
| Bar sink | 1 1/2 | 1 | |
| Kitchen sink, domestic | 1 1/2 | 2 | 2 |
| Laundry sink | 1 1/2 | 2 | 2 |
| Mobile home, trap | 3 | 12 | |
| Service or mop basin | 2 | | 3 |
| Sink, clinical | 1 1/2 | | 2 |
| Sink, commercial with food waste | | | 3 |
| Urinal | 2 | 2 | 2 |
| Washfountain | 1 1/2 | | 2 |
| WC - Water Closet, gravity tank | 3 | 3 | 4 |
| WC- Water Closet, flushometer tank, valve | 3 | 3 | 4 |
| Water cooler | 1 1/4 | 0.5 | 0.5 |

Fixture units may be credited toward remodels or rebuilds after demolitions that are rebuilt in the Authority.

SECTION 6.05: PAYMENT OF FEES. Fees as may be levied by the Authority shall be payable as follows:

A. Application fees at the time of submittal of an Application for connection or annexation to the Authority system.

B. Annexation fees prior to the final action of the Board approving said annexation.

C. Plan checking and inspection fees and capacity fees at the time of final determination thereof.

D. Any other fees shall be paid at the time of the rendering of the service or occurrence of an event causing the application hereof.

The applicant shall pay any increase in fees resulting from changes in the project during construction and prior to receiving a certificate of occupancy from Douglas County.

All fees shall be paid at the time required by this Ordinance, or within thirty (30) days of receipt by Applicant of written notice of affirmative action taken by the Authority, whichever shall apply. If such payment is not received within the time allotted, the Authority shall have the right to revoke and disaffirm its action and require that a new Application be filed.

SECTION 6.06: DEPOSIT OF FEES. Fees collected by the Authority shall be deposited as follows:

A. Application fees, In-Authority capacity fees, plan checking and inspection fees, will-serve letters and miscellaneous fees in the General Fund of the Authority, and they shall be non-refundable.

B. Annexation and capacity fees of participating districts, in the Plant Repair or Replacement/Construction Fund.

SECTION 6.07: REFUND OF FEES. In the event of cancellation or revision of a project, the Applicant may make application to the Authority for refund of fees paid. The refund of fees shall apply only to the capacity fees established herein. The Authority may, in its discretion, grant a refund of any of these fees previously paid without interest and which have not been disbursed or expended. In such event the Authority shall deduct from such refund that amount which the Authority determines to be proper in order to compensate the Authority for costs incurred by it in connection with said project.

SECTION 6.08: WILL-SERVE LETTERS. Will-Serve letters will be issued by the Authority at such time as construction plans have been reviewed and approved, and all required fees paid.

SECTION 6.09: MISCELLANEOUS APPLICATION FEES. In any situation requiring Authority approval not specifically covered herein, a permit shall be required following application therefore and the payment of an application, processing and administration fee in a sum reasonably to be determined and set by the Authority on a case-by-case basis.

## ARTICLE VII

## MAINTENANCE AND OPERATION CHARGES

SECTION 7.01: METHOD OF ASSESSING SEWERAGE SERVICE CHARGE. Annually, the Authority shall assess a sewer fee covering the maintenance and operation costs of the Authority upon each parcel of property having any connection to the sewerage system of the Authority.

A. **Residential Use Charge.**

An annual use charge for all residential users shall be based upon a flat rate as established by the Authority. The basis for establishment of the flat rate shall be the prorated cost of the treatment of the sewage based on flow volume contributions and operation and maintenance costs.

B. **Metered Flow Contributions.**

Based upon the prior calendar year's metered flows, volume contributions from each metered connection shall be projected for the forthcoming fiscal year.

C. **Commercial Use Base Charge.**

An annual sewer use charge for all commercial users shall be determined as the prorata share, as measured by the volume contribution to the system, of the annual maintenance and operation costs less the total contribution of all residential use charges. In no event shall the annual Commercial Use Base Charge be less than the annual Residential Use Charge.

D. **Commercial Use Surcharge**

An annual sewer use surcharge for all commercial users contributing sewage requiring treatment for levels of BOD,

suspended solids, grease and oil exceeding the concentrations as is set out in Article V, Section 5.03 hereof, shall be determined as the prorata share, as measured by the volume contribution to the system.

E. **Commercial User Stand-By Capacity Maintenance Fee**

During a period of non-operation, a Commercial User that is not substantially utilizing the sewerage capacity available to the property shall pay an annual prorated stand-by maintenance fee in order for the Authority to maintain full capacity of its Sewer and Sewerage System. This charge shall be based upon the current Connection Capacity Fee formula outlined in Section 6.04 of this Ordinance, but in order to accurately reflect the Commercial User's prior flow volume and its resulting proportionate share of maintenance expenses, the fee shall be calculated using the actual average of the Commercial User's immediately prior two full-operation years of annual flow contribution. A commercial sewer service shall be deemed to be in a period of non-operation for the purposes of this paragraph whenever the premises has been closed to the public or otherwise unoccupied for a period of thirty (30) continuous days.

The annual Commercial Stand-By Capacity Maintenance Charge formula is calculated as follows:

**Average of prior two full-operation years flow contribution in gallons/day times the Commercial Use Base Charge X .50 = Stand-By Capacity Maintenance Fee**

In the event that a Commercial User chooses to relinquish its capacity by not paying the stand-by capacity maintenance fee, sewage collection and treatment capacity for the commercial use in the future will have to be reacquired, if available, at the then-applicable capacity fee. Absent payment of the Stand-by Capacity Maintenance fee, there is no guarantee or assurance that collection and treatment capacity that is relinquished will be maintained by the Authority or available in the future.

F. **Commercial User Billing Periods**

The total annual use charge may be divided into increments of billing periods as determined by the Authority.

SECTION 7.02: EQUALIZATION; APPEALS. All appeals from the levy of any assessment provided for under this article shall be taken in accordance with the provisions of N.R.S. 361.335, et. seq., relating to equalization and N.R.S. 361.357, et. seq., relating to remedies as such law is currently in effect or as may from time to time be amended.

## ARTICLE VIII

## SPECIAL ASSESSMENTS; BONDS, MEDIUM AND SHORT TERM FINANCING

SECTION 8.01: In addition to the powers set forth in the Douglas County Lake Tahoe Sewer Authority Act, the Authority shall have the authority to impose, assess and collect a special assessment for any purpose deemed necessary by the Board of Trustees.

SECTION 8.02: In addition to the authority conferred upon the Authority by the provisions of the Douglas County Lake Tahoe Sewer Authority Act, the District confirms its authority, as circumstances may warrant from time to time, to:

A. Issue municipal bonds as authorized under N.R.S. 350.580, et. seq., and

B. Incur medium term financing as authorized under N.R.S. 350.087; and

C. Incur special obligations, such as notes, interim debentures and temporary bonds as authorized by N.R.S. 350.582.

SECTION 8.03: Any action taken in furtherance hereof shall be by formal resolution of the Board of Trustees of the Authority during a regular or special meeting properly called for such purpose.

## ARTICLE IX

## MAINTENANCE AND IDENTIFICATION OF THE AUTHORITY'S FUNDS

Designation of Authority Funds: It is the intention of the Board of Trustees of the Authority to set out the designation of funds held by it in accordance with the applicable provisions of Nevada Revised Statutes, the direction of the Nevada Department of Taxation and the historic policies and practices of the Authority and its predecessor as follows:

SECTION 9.01 The Enterprise Fund: It is the intention of the Board of Trustees of the Authority to create and maintain an Enterprise Fund as defined in NRS 345.517 to provide for the Authority’s operations. Additionally, funds within the Enterprise Fund are further designated as identified and provided for below.

SECTION 9.02 General Fund: This is the operating portion of the Authority's Enterprise Fund, consisting of monies collected from the Operations and Maintenance portion of sewer rates, and other miscellaneous revenue not restricted as follows or by Board of Trustee action. The General Fund is used to pay the operating expenses of the Authority, not related to Construction or emergency Plant Repair.

SECTION 9.03 Construction/Plant Repair or Replacement Fund: This fund, as established by the Board of Trustees, shall be restricted as to application for the purpose of repairing, reconstructing or expanding of the Authority's sewerage system, including capital expenditures for the construction of improvements to and/or expansion of the Authority's sewerage system.

This fund includes monies previously designated as part of a "Construction Fund" pursuant to a prior ordinance and collected in the form of special assessments levied against all users both within Authority boundaries and within the boundaries of the participating districts with whom the Authority is engaged by contract to provide wastewater treatment and reuse services. Such special use assessments shall annually be allocated among such users based upon the five-year rolling average of their rateable flow percentage of each entity applied to the total of flow contributions to the sewerage facilities of the Authority for planned capital improvement costs.

The beginning balance of monies held in this fund shall be in such sum as shall be existent on the effective date of this Ordinance. The source of such monies shall be that set out in Article VI, Section 6.07 hereinabove as well as special assessments as described immediately above.

SECTION 9.04: Interest. Interest earned on investments in these funds shall follow the principal allocated thereto.

## ARTICLE X

## COLLECTION OF ASSESSMENTS; DELINQUENCIES

SECTION 10.01: Any levy of assessments authorized hereunder or under the Douglas County Lake Tahoe Sewer Authority Act shall be certified, entered and collected as provided for in the Douglas County Lake Tahoe Sewer Authority Act and any other applicable provisions of Nevada Revised Statutes.

## ARTICLE XI

## VIOLATION OF ORDINANCE

SECTION 11.01: CORRECTION OF VIOLATION BY AUTHORITY; IMPOSITION OF REASONABLE CHARGES THEREFORE. Without limitation to the generality of any provision of this Ordinance and without imposing any obligation whatever upon the Authority to do so, the Authority shall be empowered to correct any violation of the provisions of this Ordinance and to impose the cost of said corrections upon the person or persons violating said Ordinance or upon the owner or tenant of property upon which said violations exist. The cost of said correction shall constitute a debt to the Authority and an additional sewer service charge within the meaning of Article V, Section 5.11, of this Ordinance. The Authority shall have such remedies for the collection of said costs as it has for the collection of sewer service charges under the provisions of this Ordinance and Nevada Revised Statutes.

## ARTICLE XII

## RESPONSIBILITY FOR MAINTENANCE

SECTION 12.01: Authority Sewers shall be maintained by the Authority.

SECTION 12.02: The owner or other user shall be responsible for: Cleaning all stoppages, repairing all damages and maintaining flow in the Laterals; and water meters shall be maintained in accordance with the provisions of Article IV, Section 4.05.

## ARTICLE XIII

## ADJUSTMENTS AND EXCEPTIONS

SECTION 13.01: The Board of Trustees of the Authority hereby retains the right to make adjustments and exceptions to the provisions of this Ordinance in order to vary or modify the strict application thereof in cases in which there are practical difficulties or unusual hardships in the way of such strict application, or in the interests of justice. Such modifications may consist of increasing the requirements of this Ordinance, as well as lessening or waiving certain requirements.

Application for any adjustment or exception shall be made to the Board of Trustees of the Authority in writing, or an adjustment or exception may be made by the Board on its own motion.

SECTION 13.02: CONFLICTING PROVISIONS. In the event that two or more provisions of this Ordinance are in conflict, or if this Ordinance is silent, confusing, ambiguous, oppressive or unworkable by reason of its application or non-application, or does not otherwise meet any situation presented to the Authority, the Authority's Board hereby reserves the right to adopt a resolution, or resolutions, without the necessity of prior notice therefore, in order to meet or solve such situations.

## ARTICLE XIV

## PENALTIES, CONSTITUTIONALITY, REPEALS

SECTION 14.01: TITLE. This Ordinance shall be known as the Douglas County Lake Tahoe Sewer Authority Operations Ordinance and is adopted in accordance with the provisions of the Douglas County Lake Tahoe Sewer Authority Act.

SECTION 14.02: CONSTITUTIONALITY. If any article, section, sentence, clause or part of this Ordinance is for any reason held to be unconstitutional, or otherwise illegal, such decision shall not affect the remaining portions of this Ordinance. The Authority Board of Trustees hereby declares that it would have passed this Ordinance and each article, section, sentence, clause and part hereof despite the fact that one or more articles, sections, sentences, clauses or parts hereof be declared unconstitutional, or otherwise illegal.

SECTION 14.03: REPEAL OF ORDINANCE. Upon adoption of this Ordinance, in the manner hereinafter set forth any other general operational ordinances of the Authority that were previously effective shall expressly become superseded by this instrument. Notwithstanding the repeal of said prior ordinances, all contracts entered into by the Authority under said ordinances for any rights, duties or obligations arising thereunder are hereby continued in full force and effect, and the rights, duties and obligations of the parties thereto shall be governed by the terms thereof.

SECTION 14.04: PUBLIC NUISANCE. The violation of this Ordinance shall be and the same is hereby declared to be a public nuisance, and the attorney for the Authority shall, upon order of the Authority, immediately commence actions or proceedings for the abatement or removal or enjoinment thereof in the manner provided in Article XII, Section 12.06.

SECTION 14.05: REMEDIES AND PENALTIES CUMULATIVE. The remedies and penalties herein provided shall be cumulative and shall be in addition to such other remedies and penalty as are provided in this Ordinance or by law of the State of Nevada. The election of the Authority to use one remedy shall not bar the Authority from the use of any other remedy.

SECTION 14.06: VIOLATION UNLAWFUL; CRIMINAL AND CIVIL PENALTIES. Except as this Ordinance may otherwise permit, following the effective date of this Ordinance, it shall be unlawful for any person to connect to Douglas County Lake Tahoe Sewer Authority sewerage facilities except in the manner provided by this Ordinance.

Every person violating any provisions of this Ordinance, including the failure to pay any fees, charges or surcharges imposed hereby, or any condition or limitation of a permit or plan approval issued pursuant thereto, is guilty of a misdemeanor, and upon conviction is punishable as provided by law. Each day during which any violation continues shall constitute a separate offense. The Authority Manager is hereby authorized to seek, through the office of the District Attorney of Douglas County, Nevada, or other appropriate authority, prosecution of criminal charges against any person violating any provision of this Ordinance.

In addition, any person who intentionally or negligently violates any provision of this Ordinance pertaining to the subject matter of either subparagraphs (A) or (B) below or any condition or limitation of a permit or plan approval related thereto shall be civilly liable to the Authority in the maximum sum provided by law for each day in which such violation occurs.

A. The pretreatment of any wastewater which would otherwise be detrimental to the treatment works or its proper and efficient operation and maintenance.

B. The prevention of the entry of such wastewater into the sewerage system.

SECTION 14.07: COMPENSATION OF TRUSTEES. The Board of Trustees of the Authority shall be entitled to compensation payable monthly in such amount as may be fixed by the Board of Trustees from time to time.

SECTION 14.08 This Ordinance shall be in full force and effect from and after November 20, 2024, the date of this adoption by the Board.

PASSED AND ADOPTED by the Board of Trustees of Douglas County Lake Tahoe Sewer Authority this ____ day of _____, 20__ , by the following votes:

AYES:

NAYES:

ABSTAINING:

ABSENT:

TRUSTEES:

_____

_____

_____

_____

_____

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