



SPECIAL MEETING OF THE BOARD OF DIRECTORS

**IDYLLWILD WATER DISTRICT
25945 Highway 243
Idyllwild, CA 92549**

October 7, 2026 – 5:00 P.M.

AGENDA

This meeting is being conducted in person at the address above and is open to the public. The video conference feature is being provided solely for the benefit of the public and is not required. If there is a disruption in the video conference during the meeting, the meeting will continue.

Topic: Special Board Meeting

Time: Oct 7, 2026 05:00 PM Pacific Time (US and Canada)

Join Zoom Meeting

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1

Meeting chat link

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Passcode: 268549

One tap mobile

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CALL TO ORDER

ROLL CALL

PUBLIC COMMENTS

Any person may address the Board at this time upon any subject not identified on this Agenda but within the jurisdiction of the district. Please note that for items not listed on the agenda, the Brown Act imposes limitations on what the Board may do at this time. The Board may not act on the item at this meeting. As to matters on the agenda, people will be given an opportunity to address the Board when the matter is considered. Each speaker will be given four (4) minutes to address the Board. Comments should be directed at the Board as a whole and not directed at individual Board members.



DISCUSSION ITEMS

1. APPLICATION FOR RELIEF REGARDING SEWER SERVICE CHARGE INCREASE

The Board of Directors will discuss and consider a customer application for relief from an increase to a sewer charge at a residence operating as a family daycare.

DIRECTORS COMMENTS

ADJOURNMENT

The next Board meeting is a Regular Meeting scheduled for Wednesday, October 21, 2026, at 6:00 p.m., to be held at the Idyllwild Water District Boardroom, 25945 Hwy. 243, Idyllwild, CA 92549.

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a District meeting or other services offered by this District, please contact the district office @ 951-659-2143 or email: twheeler@idyllwildwater.com. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with a disability. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the district staff in assuring those reasonable arrangements can be made to provide accessibility to the meeting.



IDYLLWILD WATER DISTRICT

Memo

To: Board of Directors

From: Ryan Guiboa, General Counsel

Date: October 7, 2026

Subject: Item 1 – Application for Relief Regarding Sewer Charge Increase

Recommendation:

The Board of Directors discuss and consider a customer application for relief from an increase of equivalent dwelling units ("EDU") and sewer charges on a residence operating as a family daycare.

Background:

On August 18, 2026, the District notified Mr. Harold Carey of an increase of (1) Equivalent Dwelling Unit ("EDU") to his monthly sewer charge (an increase of approximately \$72 per month) due to his operation of a family daycare at his residence. The increase from 1.0 EDU to 2.0 EDUs is proscribed under the District Rules and Regulations for Sewer Service for "Day Nurseries" at Appendix III. Mr. Carey challenged the increase on August 31, 2026, with a requested appeal and an application for relief. On September 15, 2026, the District's General Counsel informed Mr. Carey that his application for relief would be agendaized for discussion by the Board.

Discussion:

Mr. Carey submitted his application for relief, pursuant to Section 16.10 of the District Rules and Regulations for Sewer Service, regarding the increase to his sewer charge. Under this rule, "when any person, by reason of special circumstances, is of the opinion that any provision of these rules and regulations is unjust or inequitable as applied to his premise, they may make written application to the Board stating the special circumstances, citing the provision complained of, and request suspension or modification of that provision as applied to his premise. If such application is approved, the Board may suspend or modify the provision complained of, to be effective as of the date of application and continuing during the

period of the special circumstances.”

General Counsel will provide a brief overview of the relevant District Rules and Regulations for Sewer Service and Mr. Carey’s application for relief. Mr. Carey was notified in advance of this meeting and confirmed his availability to attend the meeting.

Further discussion and possible Board action are agendaized for the October 21, 2026, Regular Board meeting.

Conclusion:

The Board of Directors may discuss and seek any additional information or clarification regarding the application of the sewer charge of 2.0 EDUs for a daycare operating at Mr. Carey’s residence or the application for relief submitted by Mr. Carey in regards to this charge.

Attachments:

- District Notice of Sewer EDU Increase
- Carey Formal Appeal and Application for Relief
- District Response to Carey Formal Appeal and Application for Relief
- Appendix III to District’s Rules and Regulations for Sewer Service

EXHIBIT A

Idyllwild Water District Notice of Sewer EDU Increase - August 18, 2026

Attached to and incorporated into the Formal Appeal.

IDYLLWILD WATER DISTRICT

P.O. BOX 397 • IDYLLWILD, CALIFORNIA 92549 0397 • 25945 HIGHWAY 713
PHONE (951) 659 7143 • FAX (951) 659 9990 • www.idyllwildwater.com

Notice of Sewer EDU Increase

August 18, 2026

Harold Carey
54084 Pine Crest
Idyllwild, CA 92549

Account #: 06-0161-01

Dear Mr. Carey,

Congratulations on your new daycare! We wish you much success with this exciting new venture.

Pursuant to the Idyllwild Water District Sewer Policies and Procedures, your property's sewer service classification will be adjusted to reflect the operation of the daycare. As a result, your sewer account will increase by one (1) additional Equivalent Dwelling Unit (EDU).

Effective with your next billing cycle, your monthly sewer base charge will increase from 1 EDU (\$72.07) to 2 EDUs (\$144.14).

If you have any questions regarding this adjustment or your account, please feel free to contact the Idyllwild Water District office. We are happy to assist you.

Congratulations again, and we wish you the very best with your new business.

Sincerely,

Hosny Shouman

Hosny Shouman
C.F.O.
Idyllwild Water District

Hosny Shouman Copy

FORMAL APPEAL AND APPLICATION FOR RELIEF

Idyllwild Water District - Sewer EDU Reclassification

August 31, 2026

Board of Directors
Idyllwild Water District
c/o Bill Rojas, General Manager
P.O. Box 397
Idyllwild, CA 92549

Via Email and Hand Delivery

Cc: Tyla Wheeler, Office Administrator; Hosny Shouman, Chief Financial Officer

Re: Formal Appeal under Ordinance No. 65 § 1.12 and Application for Relief under § 16.10 - Notice of Sewer EDU Increase dated August 18, 2026; 54084 Pine Crest, Idyllwild; Account No. 06-0161-01

Dear Members of the Board and Mr. Rojas:

I submit this as a timely formal appeal under Section 1.12 of the Idyllwild Water District's Rules and Regulations for Sewer Service, adopted by Ordinance No. 65, from the decision reflected in the District's August 18, 2026 Notice of Sewer EDU Increase. I also apply for relief under Section 16.10 on the ground that application of the commercial "Day Nurseries" classification to this residential family daycare home is unjust or inequitable in the circumstances described below.

The August 18 notice, signed by the District's Chief Financial Officer, states that the property's sewer classification will be adjusted because of the operation of the daycare and that the account will increase from one EDU to two EDUs. The notice does not identify a written final determination by the General Manager, an inspection, a fixture count, a flow or capacity analysis, or the specific section of Ordinance No. 65 relied upon. If the August 18 notice is not itself the General Manager's final determination, please treat this filing as an appeal from any underlying determination already made, or provide the General Manager's written final determination and preserve my appeal rights from the date of that determination.

I. Relevant facts and District provisions

- 1. Residential family daycare use.** Idyllwild Daycare operates within the existing residence at 54084 Pine Crest as a state-regulated family daycare home. The daycare does not operate from a separate commercial premises or a separate sewer connection.
- 2. The District's notice is categorical.** The August 18 notice states that the account is being increased by one EDU "to reflect the operation of the daycare." It does not state that the property has experienced a measured increase equivalent to an additional EDU, or that new sewer infrastructure or plumbing fixtures justify the increase.
- 3. One EDU is a defined wastewater-capacity unit.** Ordinance No. 65 § 2.12 defines one Equivalent Dwelling Unit as the wastewater-discharge capacity of a single-family residence established at 250 gallons per day.
- 4. Ordinance No. 65 distinguishes residential and commercial classifications.** Section 2.29 provides that a single-family home equals one EDU and states that commercial, institutional, and industrial customers' units of service will be determined by the number of fixtures connected to the sewer.

5. **Appendix III lists "Day Nurseries" under COMMERCIAL.** Appendix III assigns 2.0 units of service to "Day Nurseries (f)." Footnote (f) adds one additional service unit for each group of up to six children only after the first ten children. Accordingly, a six-child family daycare does not cross the child-count threshold in footnote (f); the two-EDU result appears to arise solely from treating the residence as the commercial category "Day Nurseries."

II. Grounds for appeal

- A. **California law requires residential treatment of a family daycare home.** Health and Safety Code § 1597.42 provides that use of a home as a family daycare home operated under state standards in a residentially zoned area is a residential use for purposes of local ordinances, regulations, and rules. Section 1597.45(a) likewise treats a small or large family daycare home as a residential use and use by right, while § 1597.45(e) limits local regulation to rules applied on the same basis as other residences with the same zoning designation. Section 1597.40 states the Legislature's statewide policy and preemption of local laws, regulations, and rules governing the use and occupancy of family daycare homes.
- B. **The 2017 "Day Nurseries" schedule does not define a family daycare home.** Ordinance No. 65 predates the January 1, 2020 effective date of Senate Bill 234. The ordinance does not define "Day Nursery" or expressly state that the commercial "Day Nurseries" category includes a state-regulated family daycare home conducted in the provider's residence. Applying that commercial label to a residential family daycare therefore requires a reasoned reconciliation with the later-enacted state statutes.
- C. **The notice provides no independent sewer-service basis for a second EDU.** The District's notice does not identify any fixture count, inspection, sewer audit, flow study, additional sewer connection, or other analysis establishing why this residence should be assigned twice the sewer-service capacity of a single-family home. Because Ordinance No. 65 defines an EDU by wastewater capacity and § 2.29 expressly references fixtures for commercial customers, the District should identify the factual and technical basis, if any, for the second EDU.
- D. **The District should identify the actual decisionmaker and legal authority.** Section 1.12 places responsibility for decisions applying the sewer rules on the General Manager and provides a Board appeal from the General Manager's final decision. The August 18 notice is signed by the Chief Financial Officer and does not identify a General Manager determination, the specific provision applied, or an appeal right. A written determination explaining the classification and factual basis is necessary for meaningful review.

III. Requested relief

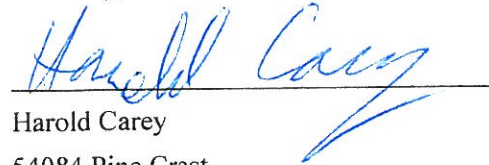
1. **Rescind the reclassification.** Restore the account to one EDU and confirm that operation of the residential family daycare home does not, by itself, convert the sewer account to the commercial "Day Nurseries" category.
2. **Suspend the additional charge during review.** Hold the additional EDU charge in abeyance while this appeal is pending. If any additional EDU amount has already been billed or collected, please credit or refund it if the appeal is granted.
3. **Provide a written determination.** Identify the exact ordinance, appendix provision, policy, administrative interpretation, and factual findings relied upon; explain why the District considers a state-regulated family daycare home to fall within "Day Nurseries"; and identify any fixture count, flow, water-usage, audit, or sewer-capacity analysis used.
4. **Set the appeal for hearing if relief is not granted administratively.** If the General Manager does not rescind the increase, please set the appeal for Board hearing in accordance with § 1.12 and provide reasonable advance notice of the hearing and the staff materials on which the District intends to rely.

5. Alternatively grant relief under § 16.10. If the District concludes that Appendix III technically reaches this use, I request suspension or modification of that provision as applied to this premises because the use remains a residential family daycare home, the operation serves only a small number of children, and the record presently identifies no sewer-system change justifying a second residential-equivalent unit.

I respectfully request permission to supplement this appeal after receiving the public records requested in the accompanying California Public Records Act request. Nothing in this filing should be construed as a waiver of any statutory, constitutional, administrative, or other rights or arguments.

Please confirm receipt of this appeal in writing and advise whether the additional EDU charge will be suspended pending review.

Sincerely,

A handwritten signature in blue ink, reading "Harold Carey", is written over a horizontal line.

Harold Carey

54084 Pine Crest

Idyllwild, CA 92549

Authorities cited: IWD Ordinance No. 65, §§ 1.12, 2.12, 2.29, 16.10 and Appendix III; Cal. Health & Safety Code §§ 1597.40, 1597.42 and 1597.45.



Ryan Guiboa
Partner
(213) 787-2549
ryan.guiboa@bbklaw.com

File No. 65415.00001

September 15, 2026

VIA U.S. MAIL AND EMAIL TO HAROLD.CAREY@PROTON.ME

Mr. Harold Carey
54084 Pine Crest
Idyllwild, CA 92549

Re: Idyllwild Water District Response to Formal Appeal and Application for Relief

Dear Mr. Carey:

Thank you for your recent correspondence to Idyllwild Water District ("District") regarding the August 18, 2026, notice of your sewer equivalent dwelling unit ("EDU") increase. This letter seeks to respond to your comments and requests, while providing further explanation for the change in EDU and associated base charge.

As a preliminary matter, the August 18, 2026, Notice of Sewer EDU Increase ("Notice") operates as an administrative notification of the change in wastewater discharge capacity and the resulting base charge due to the operation of a new daycare at 54084 Pine Crest, Idyllwild, CA 92549 ("Property"). This charge is based on the District's 2026-27 Sewer Rates that were adopted in 2023 under Resolution No. 792. As such, pursuant to the District's Rules and Regulations for Sewer Service ("Rules and Regulations"), the Notice is not a decision or determination by the General Manager subject to appeal to the District's Board of Directors. Instead, Section 14.4 provides procedures for initiating a complaint or requesting an investigation of a bill disputed by a residential customer, which will only be subject to appeal to the Board upon adverse termination by the General Manager. Because the General Manager has reached no such decision or determination of a bill, appeal to the Board of Directors is not available.

Turning to the classification of the property, the District makes no zoning reclassification of the Property's residential use, as referenced under Health and Safety Code sections 1597.42 and 1597.45(a). Rather, the District adjusted only the *type of connection* to the District sewer system, not any use of the property itself as contemplated by licensing, zoning, permitting, building standard, fire code, or related requirements for operating a family daycare home. Furthermore, the intent of this statute, reflected in section 1597.30(h), is to "promote the development and expansion of regulated family daycare homes to care for children in residential settings." The District has neither any intent nor any authority to reclassify a property in a way that would preclude family daycare services from operating in a residential neighborhood or zone. The property maintains a residential use with a commercial *type of connection* for day nurseries, and appropriately prescribed 2.0 units of service as set forth in the District's Rules and Regulations.

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Additionally, the District is not imposing any "business license, fee, or tax," as referenced in Health and Safety Code section 1597.45(b). Rather, the District is exercising its authority under Water Code sections 31101, 31575, 31579, and 23954, to appropriately charge customers for their corresponding use of sewer services. Pursuant to the District's Rules and Regulations, Appendix III, units of service are commensurate to the type of connection to the District sewer system. Appendix III specifically provides that day nurseries, as a commercial type of connection, is equivalent to 2.0 units of service. As such, Section 2.29 is not applicable and the District is not required to make any further determination of the number of fixtures at the Property. Furthermore, footnote (f) for day nurseries pertains to additional units of service *beyond* the 2.0 base units of service for the first ten (10) children, such that even six (6) children within the daycare would still result in the initial 2.0 units of service. Ultimately, because the nature of service at the Property expanded from purely residential to now include family daycare services, the inevitable increase in service demand must be accounted for and appropriately charged.

In regards to your request for relief under Rules and Regulations Section 16.10, the District maintains that the explanation provided above adequately sets forth the justification for the addition of one (1) EDU for the operation of the new daycare. That said, consistent with Section 16.10, the District will agendize your written application for Board review and provide you with a response as to its determination.

We again congratulate you and wish you the best on your new daycare. We look forward to providing service to this endeavor at the appropriate charge, commensurate to usage and in the best interest of all customers.

Best regards,



Ryan Guiboa
Partner

BEST BEST & KRIEGER LLP

General Counsel
IDYLLWILD WATER DISTRICT

RG

IDYLLWILD IMPROVEMENT DISTRICT NO. 1

RULES AND REGULATIONS

FOR SEWER SERVICE

DATED: November 15, 2017

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SECTION 1.0 GENERAL PROVISIONS

1.1 SHORT TITLE - This resolution shall be known as and may be cited as Idyllwild Improvement District No. 1 Rules and Regulations, Sewer Service.

1.2 ANNEXATION - The DISTRICT has the authority to annex areas which can be served by the DISTRICT. The terms of annexation shall be determined by the Board of Directors and shall include Capital Facilities Fees as well as all construction costs and/or transfer of facilities.

1.3 HOLD HARMLESS - The DISTRICT and its officers, agents and employees shall be held harmless from any liability in enforcing the provisions of these rules and regulations.

1.4 WORDS AND PHRASES - For the purpose of this resolution, all words used in the present tense shall include the future; all words in the plural number shall include the singular number; and all words in the singular number shall include the plural number. The Idyllwild Improvement District No. 1 shall herein be known as the "DISTRICT". The Idyllwild Water District's Board of Directors shall herein be known as the "BOARD". The Uniform Plumbing Code shall herein be known as the "CODE".

1.5 SEWER SYSTEM - The DISTRICT will furnish a sewage system, treatment plant, and sewage disposal facilities for public and private use, including all parts of the enterprise, all appurtenances to it, and lands, easements, rights to land, contract rights, franchise and other sewage supply, storage, facilities and equipment.

1.6 SEVERABILITY - If any paragraph, subparagraph, sentence or clause of these rules and regulation is, for any reason, held to be invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of these rules and regulations.

1.7 TAMPERING WITH DISTRICT PROPERTY - No one, except an employee of the DISTRICT or its agents with the permission of the DISTRICT shall, at any time or in any manner, tamper with, or in any way interfere with the operation of the DISTRICT's sewage system.

1.8 PENALTY FOR VIOLATION - For the failure of the owner and or customer to comply with all or any part of these rules and regulations, and any other ordinances or resolutions or order fixing rates and charges of the DISTRICT, reference is made to Section 10, Article 10.3.

1.9 FEES - The DISTRICT has the authority to charge special fees for work performed by its personnel and agents which are for the direct benefit of a particular customer or to property served by the DISTRICT.

1.10 SCOPE - These rules and regulations regulate the use and construction of public sewer facilities, the installation and connection of sewer laterals, and the discharge of wastes into the public sewer systems, and

provide for penalties for the violation thereof.

1.11 **DISTRICT'S RIGHT TO INSPECT PRIVATE PROPERTY** - District employees, when authorized by the General Manager shall have the right to enter upon private property at reasonable hours for the purpose of protecting public health and safety and the DISTRICT'S sewer system and for access to the DISTRICT'S sewer system for purposes of operation and/or maintenance of DISTRICT facilities.

1.12 **GENERAL MANAGER'S AUTHORITY AND RIGHT OF APPEAL** - The General Manager of the DISTRICT is responsible for the implementation of these rules and regulations, and for making all decisions and determinations regarding the application of these rules and regulations. All such decisions and determinations shall be rendered in writing, if feasible, and shall be final; provided, however, the affected person shall have the right to appeal the decision of the General Manager to the BOARD, in writing, which writing must be received by the DISTRICT within 10 business days after the final decision of the General Manager is rendered. A hearing on the appeal shall be set within 30 days thereafter, unless the General Manager, appellant and the Board agree to a later date, and the BOARD'S decision on the appeal shall be final and conclusive for all purposes.

SECTION 2.0 DEFINITIONS

2.1 **APPLICANT** means the person making an application hereunder and shall be the owner of the premises, his authorized agent, or a licensed plumber or contractor approved by the DISTRICT acting on behalf of the owner.

2.2 **BOARD** means the Board of Directors of the Idyllwild Water District and Improvement District No. 1.

2.3 **BUILDING SEWER** means the sewer extending on private property from the internal drainage system of a building and connecting with the lateral sewer.

2.4 **COMBINED SEWER** means a sewer receiving both surface water runoff and sewage. Combined sewers are not permitted in the DISTRICT.

2.5 **CONTRACTOR** means an individual, corporation, partnership, or association duly licensed by the State of California and approved by the DISTRICT to perform the type of sewer work under a permit, contract or agreement.

2.6 **COST** means the cost of labor, material, transportation, supervision, engineering, and all other administrative overhead expenses.

2.7 **COUNTY** means the County of Riverside, State of California.

2.8 **CUSTOMER** means the person or persons using sewer facilities of the DISTRICT.

2.9 **DISTRICT** means Idyllwild Improvement District No. 1 including any and all annexations.

2.10 **DISTRICT ENGINEER** means the Professional Engineer appointed or contracted by the General Manager or BOARD and acting on behalf of the DISTRICT.

2.11 **DWELLING OR LIVING UNIT** means any residence, apartment, habitation, or other structure designed to be occupied by a person, persons or family and

requiring sewage disposal service.

2.12 **EQUIVALENT DWELLING UNITS (EDU)** means the capacity for wastewater discharge from a single family residence established at 250 gallons of wastewater daily.

2.13 **FIXTURE UNIT EQUIVALENTS** means the unit equivalent of plumbing fixtures as indicated in Chapter 4, Table 4-1, of the Uniform Plumbing Code. Sixteen fixture unit equivalents are equal to one EDU. The use of this sub-section shall only apply to commercial and/or institutional customers.

2.14 **GARBAGE** means solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage and sale of produce.

2.15 **GENERAL MANAGER** means the person appointed by the BOARD as General Manager with the authority to administer the operations of the DISTRICT and with the responsibility of management, enforcement and implementation of all DISTRICT rules and regulations.

2.16 **INSPECTOR** means the person designated by the DISTRICT to perform the work of inspecting sewage facilities.

2.17 **LATERAL CONNECTION** means the actual "Wye" connection on the public sewer main line.

2.18 **OWNER** means the person owning the fee, or the person in whose name the legal title to the property appears, by deed duly recorded in the County Recorder's office, or the person in possession of the property or buildings under claim of, or exercising acts of ownership over same for himself, or as executor, administrator, guardian or trustee of the owner.

2.19 **PERMIT** means any written authorization required pursuant to these rules and regulations or any ordinance or resolution of the DISTRICT or requirements of other governmental agencies.

2.20 **PERSON** means any human being, individual, firm, company, partnership, association and private or public or municipal corporations, the United States of America, the State of California, the County of Riverside, special districts, and all political subdivisions, governmental agencies and mandatories thereof.

2.21 **PREMISES** means lots or parcels 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 the several tenants, in which case each portion shall be deemed separate premises. Apartment houses and office buildings and structures of like nature may be classified as single premises.

2.22 **PUBLIC SEWER** means a sewer lying within a public or private right of way or easement, which is owned or controlled by or under the jurisdiction of the DISTRICT.

2.23 **RWQCB** means the Santa Ana Regional Water Quality Control Board

2.24 **SEWAGE** means the waste and wastewater discharged from the internal drainage system of a residence, commercial, or institutional building into the building sewer and the public sewer.

2.25 **SEWAGE TREATMENT PLANT** means any arrangement of devices, equipment and processes used for treating sewage.

2.26 **SEWAGE WORKS** means all facilities for collecting, pumping, transmitting, treating and disposing of sewage.

2.27 **SEWER** means a pipe or conduit for transporting sewage.

2.28 **SEWER LATERAL** means that portion of a sewer lying within a public right of way or easement connecting a building sewer to the main sewer.

2.29 **UNITS OF SERVICE** means those classifications established by the BOARD for specific types of property and uses which will provide the basis for sewer service charge determinations. One unit of service is equal to one Equivalent Dwelling Unit (EDU). A single family home is equal to one EDU. Commercial, institutional and industrial customers' units of service will be determined by the number of fixtures connected to the sewer.

2.30 **SUSPENDED SOLIDS** means solids that either float on the surface of, or are in suspension in water, sewage or other liquids and which are removable by filtering.

2.31 **UNIFORM PLUMBING CODE** shall be the "CODE" as published by the International Association of Plumbing and Mechanical Officials and shall be the latest edition published and adopted by the County of Riverside as its plumbing code.

2.32 **WATERCOURSE** means a channel in which flow of water occurs, either continuously or intermittently.

SECTION 3.0 USE OF PUBLIC SEWERS REQUIRED

3.1 **USE OF PUBLIC SEWERS** - The use of public sewers shall be as specified in Chapter 3, General Regulations, of the CODE and the provisions of these rules and regulations.

3.2 **OCCUPANCY PROHIBITED** - No building, industrial facility or other structure shall be occupied until the owner thereof has complied with these rules and regulations or any ordinances or resolutions.

3.3 **SEWER CONNECTION REQUIRED** - Within any area of the DISTRICT where a public sewer system is provided by the DISTRICT and governed by these rules and regulations, the further use of septic tanks, cesspools or other means of private underground sewage disposal is hereby declared to be a public nuisance. Any premises, being a lot or other defined area of real property improved with a dwelling or other building used by persons adjoining any street, right of way or easement in which there has been located a public sewer system provided by the DISTRICT and governed by these rules and regulations, are hereby required, at the expense of the owner or his agent thereof, to be connected to the said public sewer system as follows:

3.3.01 After the failure of a private sewage disposal system within thirty (30) days.

3.3.02 For all other premises, within Two (2) years after the said system is available for use.

3.3.03 All such connections shall be performed in accordance with the requirements of these rules and regulations.

3.4 **WATER SERVICE EFFECT** - The DISTRICT reserves the right to terminate water service to any premises where the owner after written notice to

connect to the DISTRICT'S sewer system in compliance with this section has failed to do so. Written notice of such intended water service termination shall be given to the owner by mail at the address of such owner shown on the DISTRICT'S records at least Forty-Five (45) days prior to said termination. The owner shall be entitled upon written demand to a hearing before the General Manager on the matter of such intended water service termination.

Such hearing shall be conducted during the first Thirty (30) days of the Forty-Five (45) days period upon reasonable advance notice to the General Manager and during the DISTRICT'S regular business hours. The decision of the General Manager shall be final. Mailed notice may be sent by registered mail.

3.5 **PUBLIC HEALTH AND SAFETY NOT TO BE AFFECTED** - Nothing in these rules and regulations shall be construed to require the DISTRICT to curtail the sewer system to any customer in the district when such service is required by that customer to maintain an adequate level of public health and safety.

SECTION 4.0 USE OF PRIVATE SEWAGE DISPOSAL SYSTEM

4.1 **NO PUBLIC SEWER SYSTEM** - Where a public sewer is not available under the provisions of Section 3.3, the building sewer for each dwelling or other building shall be connected to a private sewage disposal system complying with the provisions of the CODE as administered by the Riverside County Department of Building and Safety.

SECTION 5.0 BUILDING SEWER AND CONNECTIONS TO PUBLIC SEWER SYSTEM

5.1 **GENERAL PROVISION** - The construction of building sewers and connections thereof to the public sewer system shall be governed by the CODE except as herein otherwise specified. The BOARD may adopt additional rules and regulations with respect to making connections to public sewers including, but not limited to, provisions requiring permits, connection and inspection fees, and setting forth procedures for installation, notices, testing and other regulations.

5.2 **PERMIT REQUIRED** - No person shall make a connection to any public sewer system without first obtaining a written permit from the DISTRICT herein referred to as IWD-52 form "Will Serve Letter" and paying all required fees and charges. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the General Manager.

5.3 **OLD BUILDING SEWERS** - Old building sewers may be used in connection with new buildings only when they are found, upon inspection and testing by the DISTRICT, to meet all requirements of these rules and regulations and any ordinances, resolutions or rules adopted hereunder.

5.4 **BUILDING SEWER TOO LOW** - Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sewage carried by such building drain shall be lifted by an approved means at the owner's expense and discharged to the building sewer.

5.5 **CONNECTIONS PROHIBITED** - No person shall make connection of roof

downspouts, exterior foundation drains, areaway drains, or other sources of surface runoff or groundwater to a building sewer or building drain which in turn is connected directly or indirectly to a public sewer. Violation of this rule shall constitute a misdemeanor and shall be enforced to the fullest extent of the law.

5.6 **COMPLIANCE** - The connection of the building sewer into the public sewer or sewer lateral shall conform to the requirements of the DISTRICT, shall be under DISTRICT jurisdiction, and shall be installed by a licensed and insured contractor approved by the DISTRICT. If a sewer lateral is not available to the property, the DISTRICT shall install a lateral and the contractor shall then connect the building sewer to the sewer lateral.

5.7 **OWNER'S RESPONSIBILITY** - The owner shall be solely responsible for all expenses relating to the maintenance and repair or replacement of the building sewer including compliance with any applicable regulatory and/or permitting requirements. The DISTRICT may charge a fee for the installation of the lateral connection and may, at its option, require the lateral connection installation be performed by a licensed and insured contractor approved by the DISTRICT and under the direct supervision of DISTRICT personnel.

5.8 **BACKWATER VALVE REQUIRED** - The DISTRICT may require the installation of an approved backwater valve as specified in the CODE or as deemed necessary by the DISTRICT to protect the owner's property as well as the property of other owners.

5.9 **INSTALLATION COSTS** - All costs and expenses incident to the installation and connection of the building sewer to the public sewer shall be borne by the owner. The owner shall reimburse the DISTRICT for all expenses it incurred by the installation of the building sewer.

5.10 **INSPECTION AND TESTING** - The applicant for the building sewer permit shall notify the DISTRICT when the building sewer is ready for inspection and connection to the public sewer. The connection of the building sewer to the public sewer system shall be made under the direct supervision of the DISTRICT and shall be inspected by the DISTRICT and if found to be in accordance with these rules and regulations and any other ordinance or CODE, the DISTRICT shall affix an approved tag to the connection. The building sewer shall also be inspected by the Department of Building and Safety of the County of Riverside, but not before the approval tag of the DISTRICT has been affixed.

5.11 **PUBLIC HEALTH AND SAFETY NOT TO BE AFFECTED** - All excavations for building sewer installations shall be adequately guarded with barricades and warning lights to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner approved by the DISTRICT.

SECTION 6.0 PUBLIC SEWER CONSTRUCTION

6.1 **APPROVAL REQUIRED** - No person shall construct or extend any public sewer without first obtaining written approval from the DISTRICT and paying any and all fees so designed by the DISTRICT. This provision does not apply to contractors constructing sewers and appurtenances under contracts entered into with the DISTRICT. Design and construction of public sewer systems shall be in accordance with applicable design criteria and the Standard Plans and Specifications for Public Works Construction, latest edition.

6.2 **BONDING OF IMPROVEMENTS** - A "Faithful Performance Bond", when required, shall be furnished by the owner to the DISTRICT. The bond shall be for not less than One Hundred Ten percent (110%) of the estimated construction cost as approved by the General Manager and DISTRICT Engineer and shall guarantee the completion of construction of the sewage facilities proposed. The bond shall be accompanied by an agreement between the owner and the DISTRICT executed the same date as the bond.

6.2.01 A performance bond will be required when the owner or developer has requested a letter to be sent to the State Real Estate Commission for issuance of a final Real Estate Report and/or when future improvements to the public sewer system will be dependent on completion of portions of the system for which the construction permit application has been made.

6.2.02 The bond and any agreement forms shall be in the format as approved by the DISTRICT.

6.3 **LIABILITY** - The DISTRICT and its officers, agents and employees shall not be answerable for any liability or injury or death to any person, or damage to any property arising during, or growing out of the performance of any work or construction by any applicant, contractor or owner. The applicant shall hold the DISTRICT and its officers, agents and employees harmless from any liability imposed by law upon the DISTRICT or its officers, agents and employees, including all costs, expenses, fees and interest incurred in defending same or in seeking to enforce this provision.

6.4 **SUBDIVISIONS** - The owner or developer of a subdivision or tract in the DISTRICT, or his engineer, shall contact the DISTRICT to determine whether or not sewer service is feasible. The owner shall furnish tentative tract maps showing lot sizes, street layouts, elevations based on USGS datum, points of connection to the DISTRICT'S sewers, possible pump stations and flow data based upon design criteria acceptable to the DISTRICT. The General Manager shall review the tract map and determine whether sewer service is feasible and whether any oversizing will be required to facilitate extension of the DISTRICT'S sewer system.

6.5 **MAIN EXTENSIONS OTHER THAN SUBDIVISIONS** - Main extensions to serve one or more parcels of land may be made by the owner of the land. The owner or his engineer shall follow the procedure specified for subdivisions in Section 6.4 above. In lieu of that procedure, the owner may request the DISTRICT to make the necessary investigation, prepare plans and have the work constructed. The owner shall place in deposit with the DISTRICT monies for all necessary and reasonable costs incurred for the investigation, plan preparation and construction prior to the DISTRICT commencing any work on the owner's behalf.

6.6 **MAIN SERVICE CHARGE** - When persons owning land to which sewer mains are adjacent in streets or rights-of-way, and which mains have been installed for service as a main extension, make an application for sewer service to a lot, parcel, tract, or subdivision, they shall reimburse the DISTRICT for their proportionate share of the cost of said main. Such proportionate share of said costs shall be based on the equivalent dwelling unit (EDU) basis for the property benefited, as set forth in the application and as determined by the DISTRICT.

6.7 **PAYMENT OF COST OF OVERSIZED MAINS** - In the event the DISTRICT elects to install oversized mains to supply any new subdivision with sewer service, the owner or owners of the proposed subdivision shall not be required to pay more than the cost of mains which, in the opinion of the DISTRICT, are

adequate to supply such subdivision with sewer service. The DISTRICT shall pay the incremental cost of pipe oversizing, but no other adjustment of the cost of installation shall be made.

6.8 **REFUNDS** - When sewer main extensions are made and paid for by an applicant and the main extension may benefit another property owner or owners in the future, the applicant may enter into a refund agreement with the DISTRICT. The refund agreement shall provide for a refund payment from main connection charges collected by the DISTRICT for service connections to the main paid by a new applicant. Such refunds shall be computed on the basis of actual cost to the person making the original main extension. The proportionate share of the refund shall be based on the EDU's of the benefited property as determined by the DISTRICT. All refund agreements shall remain in force for ten years from the date thereof.

6.9 **PLANS AND SPECIFICATIONS** - The owner or his engineer or other person proposing the construction of public sewers within the DISTRICT shall prepare plans and specifications for construction of the sewers in accordance with design criteria and standards acceptable to the DISTRICT. Plans and specifications along with a tract map indicating sewer easements, and water system plans shall be submitted to the General Manager for approval. Such submittal shall not relieve the owner or other person constructing public sewer facilities from compliance with requirements of other Federal, State or local agencies.

6.10 **PLAN CHECK** - The General Manager shall review the sewer plans for compliance with the DISTRICT'S rules and regulations and approve such plans only after receiving BOARD approval, after the owner has paid the required plan check fee as described in Section 13.3, and determining that proposed construction is in conformance with the DISTRICT'S master sewage plans.

6.11 **CONSTRUCTION** - The owner or other person shall construct the public sewer facilities in accordance with the approved plans and specifications and construction methods required by the DISTRICT. The owner or other person responsible for construction shall notify the DISTRICT Five (5) working days in advance of the commencement of any construction activity. Construction of public sewers or sewer laterals shall only be performed by a licensed contractor authorized by the DISTRICT.

6.12 **INSPECTIONS** - All public sewer construction work shall be inspected by the DISTRICT to insure compliance with all requirements of the DISTRICT. No sewer, lateral, connection or appurtenance shall be covered or backfilled at any point until it has been inspected and accepted by the DISTRICT. No work shall commence until the required inspection fee has been paid.

6.13 **SERVICES REFUSED** - The DISTRICT may refuse sewer service for noncompliance with these rules and regulations, for noncompliance with the DISTRICT'S construction requirements or for nonpayment of any fees and charges due the DISTRICT.

6.14 **ACCEPTANCE OF FACILITIES** - Before the DISTRICT shall accept sewers and appurtenances into its maintained system, the owner or his engineer, or the person constructing same shall furnish to the DISTRICT the following items.

6.14.01 Recorded "Notice of Completion" evidencing that the sewer construction work has been completed and paid for in accordance with the approved plans and specifications.

6.14.02 One set of reproducible as-built plans, plus one set of prints, showing the exact locations, depths and descriptions of all facilities.

6.14.03 Original recorded easement documents for sewers not on public property, or not within a tract boundary.

6.14.04 Original recorded grant deed or other conveyance document acceptable to the DISTRICT transferring title of the sewer facilities to the DISTRICT.

6.14.05 Letter from the General Manager certifying that the facilities were installed according to the plans and specifications.

6.14.06 The operating and maintenance manuals on pump stations and mechanical equipment.

6.14.07 A surety bond from a recognized surety company guarantying for a period of one year after acceptance of facilities that the owner will correct any defects or failures resulting from defective materials, workmanship or equipment in the work accepted. The amount of such surety bond shall be Ten percent (10%) of the cost of the work accepted or Twenty-Five Thousand Dollars (\$25,000.00), whichever is the greater.

6.15 **EASEMENTS** - The following procedure shall be used in the preparation, review and processing of any easements and easement documents:

6.15.01 The developer or owner shall prepare easement documents with description for all sewer mains which do not lie within public roads, are outside of recorded tracts, or on private property. The easements shall be delineated on the plans and the recording data shall be shown on the as-built plans. All DISTRICT sewer easements shall be not less than Twelve Feet (12) in width but may be required to be wider if the depth of the sewer is greater than eight (8) feet below the ground surface or if the slope of the ground surface is greater than fifteen percent (15%).

6.15.02 The General Manager shall review easement documents with descriptions as part of plan review. The developer or owner shall then execute, notarize and submit completed documents to the DISTRICT for recording. Such documents shall be in a form acceptable to the DISTRICT.

6.16 **SEWER FACILITIES CONNECTION FEE** - Connection Fees are established to achieve an equitable method of payment for the construction of sewer facilities required to accommodate new development and to prevent potential overload or failure of the existing sewer system.

6.16.01 The connection fee will be used to build and improve sewer facilities identified in the long range plans of the DISTRICT. The need for the connection fee is related to new residential and commercial development because such new development will cause higher wastewater flow usage in the DISTRICT'S area thus creating an increased demand which can only be accommodated with the addition of reliable sewer facilities.

6.16.02 The amount of the connection fee is established to recover the cost of the sewer facilities needed to provide service to the developments on which the fee is imposed. The fee is calculated based upon the cost of the existing facilities, the cost of replacement of existing facilities and the cost of new facilities required to meet future demands. The estimated total cost of the sewer facilities necessary to accommodate new development in the DISTRICT area is based on existing capacity and projected flow rates. This method constitutes a reasonable allocation of the cost to provide the necessary sewer improvements among the customer categories.

6.16.03 Prior to implementation, an account will be established for the fee

specified herein, and the funds from that account will be appropriated for the identified sewer facilities.

6.16.04 The sewer system identified, is consistent with the Idyllwild Master Plan for sewer services.

6.16.05 [Omitted]

6.16.06 The sewer facilities connection fee shall be paid for each new connection within the boundaries of Improvement District No. 1. The sewer facilities connection fee shall be paid in an increased amount for each new connection outside the boundaries of Improvement District No. 1. In addition to the sewer facilities connection fee, an inspection fee must be paid by the owner or developer. Connection fees and inspection fee amount shall be as shown in the DISTRICT'S current Schedule of Rates, Fees and Charges, adopted by the Board from time to time.

6.16.07 Where sewer service is to be provided to new structures on a parcel where sewer service is already available, the DISTRICT may, at its sole discretion, require payment of a sewer facility connection fee in the amount indicated in Section 6.16.06. If a new connection to the DISTRICT'S sewer is not required, the inspection fee will be waived.

6.16.08 The DISTRICT may at its sole discretion accept facilities in lieu of the facilities connection fee. For purposes of this section, "Facilities" means public sewer facilities infrastructure required, or anticipated to be required, to properly support development within the Idyllwild area and does not include any facility, structure or improvement to be constructed or installed on private property.

6.16.09 The value of the facilities to be credited toward the connection fees shall be documented and shall be the reasonable cost of constructing the facilities. The credit allowed shall not include the incidental costs of financing or legal costs. Acceptance by the DISTRICT of facilities in lieu of connection fees shall be effectuated only pursuant to a written agreement entered into between the DISTRICT and the owner or developer in advance of acceptance and/or construction of the facilities.

6.16.10 In the event the allowable value of the facilities to be accepted exceeds the connection fee due from the owner or developer, the connection fee may be waived. Credit for the allowable value of facilities to be accepted by the DISTRICT in lieu of connection fees may not be carried over to other projects by the owner or developer except by specific written agreement as approved by the Board of Directors and entered into in advance of acceptance and/or construction of such facilities. Any such agreement shall specify the particular property to which the credit will apply.

6.16.11 Any excess allowable value over connection fees, whether or not future credit is allowed for, may not be sold, assigned or otherwise conveyed.

6.16.12 Future credit for allowable value in excess of connection fees then due is not reimbursable to the owner or developer except as credit toward connection fees due the DISTRICT. Such credit will be automatically cancelled and extinguished unless used within five years of the date upon which the DISTRICT has approved the credit.

SECTION 7.0 USE OF PUBLIC SEWER SYSTEM

7.1 **TYPES OF WASTE PROHIBITED** - No person shall discharge or cause to be discharged any of the waters or wastes described in this section and/or Appendix II into any public sewer.

7.2 **INDUSTRIAL WASTE** - Any person desiring to discharge industrial wastewater into a public sewer of the DISTRICT shall be required to submit a letter to the General Manager presenting information as to the kind and amount of industrial wastewater produced and to be discharged by the industrial operations. No industrial wastewater shall be permitted to be discharged in the public sewer which will cause the DISTRICT effluent discharge from the sewage treatment facilities to exceed the concentration limits set by the Regional Water Quality Control Board having jurisdiction in accordance with the latest discharge requirements. No industrial wastewater shall be permitted to be discharged in the public sewer system that exceeds chemical, physical and/or bacteriological requirements including, but not limited to:

7.2.01 Methylene Blue Active Substance of 1.0 mg/l.

7.2.02 Dissolved sulfides concentration of 0.1 mg/l.

7.2.03 Five-day Biochemical Oxygen Demand of 700 mg/l.

7.2.04 - Total suspended solids of 30 mg/l.

7.2.05 Total dissolved solids of 600 mg/l.

7.2.06 Sodium-ion of 100 mg/l.

7.2.07 Chloride-ion of 100 mg/l.

7.2.08 The DISTRICT may enter into agreements with specific dischargers with unique waste streams to exceed the amounts specified in Sections 7.2.01 through 7.2.07, inclusive, when mitigating circumstances that will not jeopardize the ability of the DISTRICT to meet its Waste Discharge Requirements as established by the RWQCB exist.

7.3 **CONTROL OF PROHIBITED WASTES** - If any waters or wastes are discharged, or are proposed to be discharged into public sewers, which waters contain the substances or possess the characteristics enumerated in any of these rules and regulations, and which in the judgment of the General Manager or other governing agency may have a deleterious effect upon the sewage works, processes, equipment or receiving waters, or which otherwise create a hazard to public health and safety or constitute a public nuisance, the DISTRICT may at its sole discretion:

7.3.01 Require pretreatment to an acceptable condition for, and as a condition to discharge to the public sewers.

7.3.02 Require control over the quantities and rates of discharge.

7.3.03 Require the owner to install, maintain and use grease traps and sand interceptors and separators as specified in the CODE or as deemed necessary to the DISTRICT.

7.3.04 Require payment to cover the added cost of handling and treating of the wastes not covered by existing sewer charges.

7.3.05 If the pretreatment or equalization of waste flows is required, the design and installation of the facilities and equipment shall be subject to

the review and approval of the DISTRICT and subject to the requirements of all applicable codes, ordinances, laws, rules and regulations.

7.4 **INTERCEPTORS** - All non-domestic users shall be required to install and maintain a grease, oil and/or sand interceptor when the General Manager finds that it is necessary for the proper handling of (a) liquid waste containing grease, (b) flammable wastes, (c) sand, or (d) other harmful constituents which may be properly eliminated from the collection system by use of an interceptor. An interceptor is not required for a building used solely for residential purposes except where common food preparation occurs. An interceptor shall be required when the wastewater flow from the building is anticipated to contain grease, flammable substances, sand or other harmful ingredients in amounts or concentrations which, in the discretion of the DISTRICT, present the possibility of causing or contributing to the fouling of, blockage of, or other damage to the DISTRICT collection and treatment systems.

7.4.01 The DISTRICT may require any non-domestic user to install or increase the size of an interceptor according to the guidelines set forth in the "CODE" or other program prior to connection to the DISTRICT or at any time after connection to the DISTRICT if the DISTRICT discovers or determines subsequent to the connection that the building, facility, or operation of the user produces a waste with characteristics that would require installation of an interceptor pursuant to these rules and regulations.

7.4.02 The installation of a proper interceptor shall be the responsibility of parcel owner and the entity which applies for the connection, and owner/proprietor of the business or entity whose operations cause or contribute to the necessity for an interceptor.

7.4.03 The DISTRICT shall determine whether a grease interceptor or other interceptor is required on a case-by-case basis based on an evaluation of objective criteria including but not limited to factors such as those listed hereunder:

1. The type of facility (a restaurant, bakery, car wash, gas station, lube facility, etc.)
2. The volume of the user's business or operation (such as number of meals served, number of seats, hours of operation)
3. The peak flow of process wastewater discharged to the collection system
4. Size and nature of facilities (including kitchen facilities) based on size, type, number of fixtures, and type of processing or cooking equipment used
5. The type of foods or other materials used in the cooking, processing or manufacturing operations carried on within the user's facility
6. The overall potential for grease-laden, flammable or sand-laden discharges
7. The existence of devices, procedures or processes which are designed to minimize the amount of grease, sand, oil or other flammable liquids from entering the collection system

7.4.04 The design, location and procedures for operation and maintenance of a required interceptor shall be approved by the DISTRICT. Such approval shall be obtained prior to the user's connection of the facility to the

DISTRICT'S collection system, in the event of new construction or remodeling.

Where interceptors are located in driveway or parking areas, interceptors shall be constructed of concrete. In other locations, concrete or fiberglass construction is acceptable.

7.4.05 In circumstances where a user has already connected and the DISTRICT determines that an interceptor must be installed, the user shall promptly provide for the installation of the interceptor within a reasonable time frame (as may be set by the DISTRICT), including providing design plans and operational plans for DISTRICT approval prior to interceptor installation. The installation of an interceptor as required by these rules and regulations on an existing user facility shall occur within reasonable time not to exceed ninety (90) days after the user has been provided notice of the requirement that an interceptor be installed. This ninety (90) day limit may only be extended by written agreement of the DISTRICT.

7.4.06 Any user who is required by the DISTRICT and/or these rules and regulations to install and/or operate an interceptor shall be required to adequately maintain the interceptor so that such device is in proper working order at all times.

7.4.07 Grease and oil interceptors shall be cleaned by a licensed and permitted waste hauler on a periodic basis to assure that the interceptor will operate as designed at all times.

7.4.08 The use of additives to emulsify grease is specifically prohibited.

7.4.09 Any users who are required to install or have in operation an interceptor pursuant to these rules and regulations shall at all times make available to the DISTRICT all records of maintenance and cleaning of the interceptor. The users shall also provide access for DISTRICT personnel for inspection of the interceptor at any reasonable time. Users shall provide access to manhole or cleanout openings at or above ground level.

7.5 MAINTENANCE OF PRETREATMENT OR FLOW EQUALIZATION SYSTEM - Where preliminary treatment or flow equalizing facilities are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner at his expense. Facilities shall be made available to DISTRICT personnel for inspection at any reasonable time.

7.6 TESTS AND MEASUREMENTS - All measurements, test and analyses of the characteristics of waters and wastes to which reference is made in these rules and regulations shall be determined in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater" published by the American Public Health Association.

7.7 SWIMMING POOLS - It shall be unlawful for any person to discharge the contents of a swimming pool into a sanitary sewer.

7.8 HYDROLYSATE - It shall be unlawful for any person to dispose of hydrolysate into the sewer collection system.

SECTION 8.0 APPLICATION FOR INITIAL CONNECTION TO SEWER SYSTEM AND REQUEST FOR SEWER SERVICE

8.1 APPLICATION FOR SEWER SERVICE - A property owner or his agent shall make application for sewer service on the DISTRICT'S form AP-IWD-5 "Connection

Permit and Application for Sewer Service".

8.2 **APPLICATION BY NON-OWNER** - A person who is not the property owner or his agent may make application for sewer service on the DISTRICT'S form IWD-1 "Application for Tenant Service". The form shall be completely filled out and shall be accompanied by an application fee as specified in the DISTRICT'S current Schedule of Rates, Fees and Charges, Appendix I and signed by the owner/agent of the property and the tenant to be served. Upon acceptance of the application by the DISTRICT, the tenant shall be obligated to comply with all of rules and regulations governing the provision of sewer service of the DISTRICT, including the payment of all rates, fees and charges for such service, however, it is the DISTRICT'S requirement that the property owner(s)/agent shall assume all financial responsibility for the payment of the tenant's sewer service fees, rates and charges.

8.3 **PAYMENT FOR PREVIOUS SERVICE** - No application for regular sewer service will be accepted until all other accounts in the name of the applicant or the applicant's tenants have been paid in full.

8.4 **APPLICATION FOR CONNECTION TO SEWER SYSTEM** - Concurrent with application for sewer service, a property owner or his agent may make application for connection to the public sewer system. The applicant shall give a description of the character of the work proposed, the location, ownership, occupancy and use of the premises to be served, and the name and address of the person who will make the connection.

The DISTRICT may require plans, specifications or drawings and such other information deemed necessary. A permit will be issued upon the acceptance by the General Manager and when all fees and charges have been paid.

8.5 **COMPLIANCE WITH PERMIT** - After approval of the application and issuance of a permit, no change shall be made in the location of the sewer, the grade, materials or other specifications from those described in the permit, or as shown on the plan and specifications for which the permit was issued, except upon written permission from the General Manager.

8.6 **AGREEMENT** - The applicant's signature on an application for any permit shall constitute an agreement to comply with all rules and regulations of the DISTRICT, in accordance with the plans and specifications he has filed with his application, together with such corrections or modifications as may be made, permitted or approved by the DISTRICT. Such agreement shall be binding upon the applicant and may be altered only by the DISTRICT upon the written request of the applicant.

8.7 **INSPECTION** - All sewer systems constructed must be inspected by the DISTRICT to insure compliance with all requirements of the DISTRICT. Twenty-Four (24) hours' notice shall be given by the applicant to the DISTRICT prior to a requested inspection date. The DISTRICT shall complete form IWD-51 "Inspection Order" upon acceptance of sewer connections work.

8.8 **SIZE AND LOCATION** - The DISTRICT reserves the right to determine the size of sewer laterals and their location with respect to the boundaries of the premises to be served. The laying of the owner's building sewer to the point of connection shall not be done until the location of the sewer lateral has been determined and approved by the General Manager.

8.9 **DIVISION OF PROPERTY** - It shall be unlawful to maintain a connection to the public sewer system except in conformity with the CODE. When property provided with a sewer connection is divided, each sewer connection shall be considered as belonging to the lot or parcel of land which it directly

enters. Sewer service shall not be provided to adjacent parcels through a single lateral.

8.10 **CONDEMNED WORK** - When any work has been inspected and condemned or failed inspection, and no certification of satisfactory completion has been given, a written notice to that effect shall be given to the owner or the agent of the premises to repair the sewer or other work authorized by the permit.

8.11 **LIABILITY FOR COSTS** - Both the owner and the person making the connection shall be liable to the DISTRICT for all fees, costs and expenses incident to the installation and connection of any sewer or other work for which a permit shall be issued. The owner shall indemnify the DISTRICT from any loss or damage that may directly or indirectly be occasioned by the work.

8.12 **OUTSIDE DISTRICT SERVICE** - Permission shall not be granted to connect any lot or parcel of land located outside the DISTRICT to any public sewer except by prior agreement. The applicant shall enter into a written agreement binding himself, his heirs, successors and assigns to abide by all DISTRICT rules and regulations regarding the manner in which the sewer shall be used, the manner of connection, plumbing, and drainage and shall agree to pay all fees and charges required for securing the permit along with the monthly sewer service charge in the amount set by the DISTRICT for the privilege of using the public sewer system.

8.13 **UNDERTAKING OF APPLICANT** - Each application will state the owner's agreement and intention to comply with this and all other ordinances, rules, regulations, practices or laws relating to regular sewer service and to make payment for sewer service received on the terms and conditions established by the DISTRICT.

SECTION 9.0 NOTICES

9.1 **NOTICES** - Notices to property owners and/or customers will normally be given in writing and either delivered or mailed to the most current address maintained in the DISTRICT'S books and records. It is the owner's or customer's responsibility to inform the DISTRICT, in writing, of any change in address.

SECTION 10.0 DISCONTINUANCE OF SERVICE

10.1 **TERMINATION OF SEWER SERVICE FOR NON-PAYMENT** - All sewer service applicants and customers of the DISTRICT are made aware that the DISTRICT will initiate action to terminate sewer service for non-payment of DISTRICT sewer rates, fees and charges.

10.2 **SEWER BILLINGS** - The fee owner of property served by the DISTRICT is solely and ultimately responsible for the payment of all sewer bills for sewer service rendered to the owner's property. There is no exception to this policy. Thus, the fee owner is fully responsible for the payment of sewer bills incurred by tenants and other occupiers of the owner's property who use sewer service supplied by the DISTRICT. Failure to receive a bill does not relieve the owner of liability.

Any amount due shall be deemed a debt to the DISTRICT, and any person, firm or corporation failing, neglecting or refusing to pay the indebtedness shall be liable in any action in the name of the DISTRICT in any court of

competent jurisdiction for the amount of the indebtedness.

10.3 **SERVICE REFUSED OR DISCONTINUED** - Sewer service may be refused or discontinued to any premise for the following reasons:

10.3.01 Where apparatus or appliances are in use which might endanger or disturb the service to other customers.

10.3.02 For non-compliance with these rules and regulations or any other resolution, ordinance or law relating to sewer service.

10.3.03 To protect DISTRICT facilities.

10.3.04 In addition to discontinuation of sewer service, violation of DISTRICT rules, regulations, resolutions, ordinances or laws may be a misdemeanor punishable by law.

10.4 **ABANDONMENT OR DEMOLITION OF PREMISE** - Consumers desiring to discontinue service shall so notify the DISTRICT Two (2) days prior to removal of all plumbing fixtures from dwelling, demolition of the dwelling and/or any condemnation of the dwelling by appropriate authority. All plumbing or drain openings shall be sealed to the satisfaction of the DISTRICT upon abandonment or demolition of the structure(s).

11.0 SEWER SERVICE BILLING PROCEDURES

11.1 GENERAL INFORMATION

- a. The monthly charge to be collected by the DISTRICT for sewer services shall be in an amount determined from time to time by the DISTRICT, in conformance with any legally prescribed procedures or processes.
- b. Sewer service billings are due and payable upon presentation and are considered delinquent if not paid on the specified due date on the monthly billing form.
- c. The billing period is normally on a monthly basis; however, the DISTRICT reserves the right to change the billing period.
- d. Billings for sewer service will be made by the DISTRICT on the same bill for water service (consolidated bill). Partial payments of the total consolidated bill shall not be accepted as complete payments and both water and sewer service are subject to termination without payment of the total consolidated bill.
- e. Sewer billings may be paid by mail addressed to the Idyllwild Water District, Post Office Box 397, Idyllwild, CA 92549, provided that they are received by the DISTRICT before the due date as specified on the monthly billing form. Bills may be paid in person at the office of the DISTRICT located at 25945 Highway 243, Idyllwild, CA 92549. Bills may also be paid on-line using the bill payment portal on the DISTRICT'S website.

11.2 **DELINQUENT RATES, FEES AND CHARGES** - Even though the property is, or was, occupied by a tenant or other occupant, the property owner is responsible for unpaid rates, fees and charges, and all unpaid bills may be made a lien against the property pursuant to these rules and regulations and the California Water Code, Sections 31701.5 et seq.

11.3 **SEWER SERVICE BILLING TO TENANTS** - Property owners who require tenants to pay sewer bills may, upon execution of the DISTRICT'S standard form IWD-1 "APPLICATION FOR TENANT SERVICE", have the tenant billed for sewer service; provided, however, that such a procedure shall not relieve the property owner of the responsibility to pay delinquent billings. If the property owner desires that a duplicate copy of the billings be mailed to the tenant and to the owner, an Owner/Landlord Notification Fee shall be levied and collected annually in advance as part of each billing in the amount specified in the DISTRICT'S current Schedule of Rates, Fees and Charges.

SECTION 12.0 COLLECTION BY SUIT

12.1 **DELINQUENT ACCOUNT SERVICE CHARGE** - Accounts not paid on or before the specified due date in which they become delinquent may be subject to a penalty charge in addition to any other charges set forth in these rules and regulations. The amount of the charge will be established from time-to-time by action of the DISTRICT'S Board of Directors.

12.2 **COLLECTION OF UNPAID BILLINGS** - Whether or not sewer service is terminated, the DISTRICT reserves the right to initiate legal proceedings to collect unpaid sewer bills. As the prevailing party in any such litigation, the DISTRICT shall be entitled to recover interest on the award as well as reasonable attorney's fees and court costs.

In the event the DISTRICT'S court judgment remains unpaid, the DISTRICT shall arrange to have monies due and owed to it made a lien against the subject property pursuant to California Water Code Sections 31701.5 et seq., and if service has been previously terminated, no resumption of service shall be made until all unpaid bills have been paid in full, including connection fee and security deposit in the amounts specified in the DISTRICT'S current Schedule of Rates, Fees and Charges.

SECTION 13.0 PERMITS AND FEES

13.1 **GENERAL PROVISION** - Sewer system facilities, used for whatever purpose, shall be designed in accordance with acceptable criteria for design, standard specifications and standard drawings. Design criteria and standards shall be approved by the General Manager in advance of design. The applicant shall be required to provide "as built" drawings of all such installations.

13.2 **PLAN CHECK AND INSPECTION** - Applicants for sewage facilities to be designed and constructed by any person or firm other than the DISTRICT, where the facilities are to be conveyed to the DISTRICT, shall submit construction drawings and all other required documents to the DISTRICT for plan check and inspection with any required plan checking and inspection fee in the amount specified in the DISTRICT'S current Schedule of Rates, Fees and charges. The application for plan check and inspection shall be made on the standard form furnished by the DISTRICT.

13.3 **PLAN CHECK FEE** - Within Five (5) business days after submittal of the applicant's plans and specifications, the DISTRICT shall notify the applicant of the estimated cost of reviewing them, which cost shall be paid in advance by the applicant to the DISTRICT. As used herein, the "estimated cost" shall mean the estimated actual cost of reviewing the plans and

specifications, plus an administrative fee of 20% of the estimated actual cost. Upon receipt of the estimated amount, the DISTRICT shall commence its review of the plans and specifications. At the conclusion of its review, the DISTRICT shall prepare an invoice to be delivered to the applicant reflecting the total Plan Check Fee to be paid by the applicant. As used herein, "Plan Check Fee" shall mean the total actual costs incurred by the DISTRICT in reviewing the plans and specifications, plus 20% thereof. Upon payment of the Plan Check Fee, the applicant's plans and specifications will be released to the applicant. In the event the estimated fee deposited in advance is greater than the actual fee, the applicant shall receive a refund of the excess. In the event corrections are required and plans and specifications are resubmitted to the DISTRICT, additional costs expected to be incurred by the DISTRICT shall be estimated and paid (or refunded) as provided for above.

13.4 **SERVICE AVAILABILITY LETTER** - A sewer service availability letter will be furnished to applicants upon request and payment of the established fee. Said letter will state that applicants parcel is within DISTRICT boundaries and sewer service will be provided subject to terms and conditions contained therein.

13.5 **CONSTRUCTION PERMITS** - Prior to the commencement of construction of sewer facilities for which plans have been approved by the DISTRICT, the applicant shall apply for and obtain a construction permit, accompanied by a fee on the amount specified in the DISTRICT'S current Schedule of Rates, Fees and Charges. Application for a DISTRICT permit does not relieve the applicant from the responsibility to secure permits from Riverside County, Caltrans or other agencies having jurisdiction.

13.6 **CONSTRUCTION INSPECTION** - All construction activities concerning the sewer facilities to be conveyed to the DISTRICT shall be continuously inspected by the DISTRICT or its representative. The fee for inspection services shall be the amount specified in the DISTRICT'S current Schedule of Rates, Fees and Charges, and shall be paid in advance.

13.7 **CONSTRUCTION AND MAINTENANCE BONDS** - All construction shall be secured by DISTRICT approved bonds or DISTRICT approved irrevocable letters of credit for One Hundred Ten percent (110%) of the DISTRICT'S estimate of the cost of a project. All completed construction shall be secured by DISTRICT approved maintenance bonds or DISTRICT approved irrevocable letters of credit for One Hundred Ten percent (110%) of actual construction costs (as verified by the DISTRICT prior to acceptance of the project by the DISTRICT). Maintenance bonds shall be effective for a minimum of Twelve (12) months following the DISTRICT'S date of acceptance of the project.

13.8 **SPECIAL STUDY FEE** - If a special study is necessary, it shall be performed on a cost basis. A fee shall be deposited with the DISTRICT based on the estimated cost prior to the DISTRICT beginning the special study. Upon completion of the special study, the fee will be adjusted based upon the actual cost of the study.

13.9 **CHANGE OF OWNERSHIP FEE** - A fee will be charged to new owners/lessees of a property within the DISTRICT upon transfer of ownership. Amount is specified in the DISTRICT'S current Schedule of Rates, Fees and Charges. This fee may be waived in the event of death of current owner when ownership will be legally granted to a surviving family member or trustee. It is the current owner's responsibility to ensure that the DISTRICT be informed of any change of ownership.

Monthly service fees will be prorated to the new owner the day escrow closes

or the day of ownership transfer.

SECTION 14.0 CONDITIONS FOR SERVICE

14.1 **TERMS AND CONDITIONS FOR PROVIDING SEWER SERVICE** - For all retail, domestic, commercial and institutional customers, the following terms and conditions shall be applicable:

14.1.01 All conditions of service set forth in the DISTRICT'S Application for Sewer Service (Standard Form AP-IWD-5) - becomes a service agreement when signed by the applicant/customer for domestic or commercial service.

14.2 ALL APPLICANTS/CUSTOMERS:

- a. Will be able to establish and maintain a satisfactory credit rating with the DISTRICT by continuing to pay monthly DISTRICT bills for sewer service without more than one (1) delinquency, involving Forty-Five (45) days or less, in any Twelve (12) month period; and;
- b. Failing to maintain a satisfactory credit rating as provided for in Section 14.2 (a) above, by being delinquent in payment of monthly billings for service Two(2) or more times during any Twelve (12) month period or by having a single delinquency for a period of more than Forty-Five(45) days, may result in the involved customer being required to pay an applicable delinquent charge(in addition to paying the then unpaid balance which is then due and payable).

14.3 **NOTICE OF TERMINATION** - In the event a sewer service account is delinquent, the DISTRICT shall first give notice of such delinquency and impending termination of water service at least Fifteen (15) days (including week-ends) prior to the proposed termination, by means of a notice mailed and may use a door hanger form (AP-IWD-13) to the customer to whom the service is billed. Such notice shall not be sent or door hanged earlier than Nineteen (19) days from the date of mailing the DISTRICT'S bill for services. Mailed notice may be sent by registered mail.

14.3.01 Each time a customer is delinquent two (2) times or more during a Twelve (12) month period or has a single delinquency for a period of more than Forty-Five (45) days, the involved customer may be required to pay a delinquency fee as specified in the DISTRICT'S current Schedule of Rates, Fees and Charges.

14.3.02 Continuation of a delinquency beyond 45 days will result in termination of water service.

14.3.03 At least forty-eight (48) hours prior to termination of service, the DISTRICT shall make a reasonable, good faith effort to contact a responsible person residing at the premises or owner of the property by telephone or in person.

14.3.04 A security deposit may be required of all customers of the DISTRICT who do not meet the criteria of credit worthiness set by the Board of Directors of the DISTRICT, and of all customers who have made application to the DISTRICT for restoration of service terminated as a result of non-payment. This deposit shall be paid at the time of application for service or re-connection unless other payment arrangements have been approved in

writing by the General Manager.

14.3.05 The required deposit is calculated by adding six monthly charge bills, at the current rate, at the service address of the applicant. The applicant shall have the right to pay the deposit amount under protest and appeal the amount of the required security deposit to the Board of Directors of the DISTRICT. Any such appeal must be made in writing within three (3) business days of notification of the requirement of the deposit.

14.3.06 The Deposit shall be credited to the customer's account as required by law, provided the customer has maintained a record of prompt payment for the previous twelve (12) consecutive monthly billings or upon termination of sewer service. "Prompt Payment" is defined as payment in full of each current billing before the delinquency date. The crediting of the deposit amount shall be reflected on the next monthly billing after the customer has met the requirements of this section. Each account on which a deposit is maintained will be reviewed by the DISTRICT annually to determine whether the customer has maintained a record of "prompt payment".

14.3.07 Upon termination of service, the deposit shall be credited to any amount owed the DISTRICT, as partial payment. Any credit remaining after application of the deposit shall be refunded as required by law, to the customer at the address maintained in the DISTRICT'S records.

14.4 **REVIEW OF BILLING, APPEAL** - Any residential customer who has (A) initiated a complaint or requested an investigation within Five (5) days of receiving a disputed bill, or (B) who has, within Thirteen (13) days of mailing the notice required by paragraph (2) above, made a request for extension of the payment period of a bill claimed to be beyond the ability of the customer to pay in full during the normal period for payment shall be given an opportunity for review of the complaint, investigation or request by the DISTRICT. Any customer whose complaint or request for an investigation has resulted in an adverse termination by the General Manager may appeal the termination to the BOARD.

14.5 **AMORTIZATION OF PAYMENT** - The review of a complaint or request for an investigation may include consideration of whether the customer shall be permitted to amortize the unpaid balance of the delinquent account over a reasonable period of time, not to exceed twelve (12) months. If a customer fails to comply with an amortization agreement, the DISTRICT shall commence termination of service by giving Forty-Eight (48) hours written notice to the customer stating the conditions the customer is required to meet to avoid termination. Such notice does not entitle the customer to further investigation by the DISTRICT, and if the conditions of the notice are not satisfied within forty-eight (48) hours the water service shall be terminated.

14.5.01 By signing an application for sewer service the involved customer/applicant assumes exclusive and total responsibility and liability for charges incurred under these rules and regulations associated with the involved service and service connection until such customer/applicant notifies the DISTRICT in writing to discontinue such service.

14.5.02 Penalty charges as may be determined by the Board of Directors from time-to-time may be charged on all delinquent sewer service accounts, beginning twenty-five (25) days after such accounts become delinquent and continuing for three (3) delinquency periods, after which time service will be terminated.

14.5.03 All sewer service to any customer will be subject to being

discontinued by the DISTRICT if said customer has over a three (3) month delinquent sewer account owing the DISTRICT. All payments for the continuation or restoration of service shall be made prior to such restoration or continuation of service by cash or personal check payable to the Idyllwild Water District, and payable only at the DISTRICT'S office: 25945 Idyllwild Road, Idyllwild, CA 92549. In the event a customer has previously presented a "Not Payable" check to the DISTRICT, payment for continuation or restoration of service shall be made by cashier's check, money order or cash only.

14.6 **RETURNED CHECK CHARGE** - Checks received for payment that are returned to the DISTRICT due to insufficient funds shall be promptly made good by the issuer, who shall also concurrently pay to the DISTRICT a returned check charge in the amount specified in the DISTRICT'S current Schedule of Rates, Fees and Charges.

SECTION 15.0 CRITERIA FOR DESIGN STANDARD SPECIFICATIONS AND STANDARD DRAWINGS

15.1 **ADOPTION** - Criteria for design, technical specifications and standard drawings for the construction of sewer facilities shall be on file in DISTRICT'S office as approved by the General Manager.

SECTION 16.0 VIOLATIONS, ENFORCEMENT AND POLICING

16.1 **VIOLATION UNLAWFUL** - Except as provided for in Section 3.0, paragraph 3.3, it is unlawful for any person to connect to, construct, install, provide, maintain or use any other means of sewage disposal from any building in an area served with sewers by the DISTRICT except connection to the public sewer system.

16.2 **PROTECTION FROM DAMAGE** - No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the DISTRICT'S public sewer system. Any person violating this provision shall be subject to the penalties provided by law.

16.3 **INVESTIGATION PROCESS** - The General Manager and all duly authorized employees of the DISTRICT shall carry evidence establishing their identity as an authorized representative of the DISTRICT, and upon showing the proper credentials and identification, shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purpose of inspection, re-inspection, observation, measurement, sampling, testing or otherwise performing duties as may be necessary to enforce provisions of these rules and regulations.

16.4 **VIOLATION** - Any person found to be in violation of any provision of these rules and regulations shall be served by the DISTRICT with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. The time limit shall be not less than Two (2), nor more than Seven (7) working days. The offender shall, within the period of time stated in the notice, permanently cease all violations.

All persons shall be held strictly responsible for any and all acts of agents or employees performed under the provisions of these rules and regulations. Upon being notified by the DISTRICT of any violation hereof, the person or persons having charge of work shall immediately correct or eliminate violations.

16.5 **PUBLIC NUISANCE** - Continued habitation of any building or continued operation of any industrial facility in violation of the provision of these rules and regulations is hereby declared to be a public nuisance. The DISTRICT may cause proceedings to be brought for the abatement of the occupancy of the building or industrial facility during the period of such violation.

16.6 **DISCONNECTION** - As an alternative method of enforcing the provisions of these rules and regulations the DISTRICT shall have the power to disconnect the user or subdivision sewer from the sewer mains of the DISTRICT. Upon disconnection, the DISTRICT shall estimate the cost of disconnection from and reconnection to the system, and the user shall deposit the estimated cost, before user is reconnected to the system. The DISTRICT shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

16.7 **ABATEMENT** - During the period of any such disconnection, habitation of the premises by human beings shall constitute a public nuisance, whereupon the DISTRICT shall cause proceedings to be brought for the abatement of the occupancy of the premise by human beings during the period of such disconnection. In such event, and as a condition of reconnection, there shall be paid to the DISTRICT reasonable attorney's fees and costs of suit arising in the action.

16.8 **MEANS OF ENFORCEMENT ONLY** - The BOARD hereby declares that the foregoing procedures are established as means of enforcement of the terms and conditions of these rules and regulations and not as a penalty.

16.9 **LIABILITY FOR VIOLATION** - Any person violating any of the provisions of these rules and regulations shall become liable to the DISTRICT for any expense, loss, or damage occasioned by reason of the violation.

16.10 **RELIEF ON APPLICATION** - When any person, by reason of special circumstances, is of the opinion that any provision of these rules and regulations is unjust or inequitable as applied to his premise, they may make written application to the BOARD stating the special circumstances, citing the provision complained of, and request suspension or modification of that provision as applied to his premise. If such application is approved, the BOARD may suspend or modify the provision complained of, to be effective as of the date of application and continuing during the period of the special circumstances.

16.11 **RELIEF ON OWN MOTION** - The BOARD may, on its own motion, find that by reason of special circumstances any provision of these rules and regulations should be suspended or modified as applied to particular premises and may order the suspension or modification for said premises.

16.12 **VIOLATION A MISDEMEANOR** - Every person who willfully violates any provision of these rules and regulations and any ordinances, resolution or rules adopted hereunder, including the failure to pay any fees, charges or surcharges imposed hereby, or any condition or limitation of a permit issued pursuant thereto, may be guilty of a misdemeanor.

16.13 **SEPARATE OFFENSES** - Violation of these rules and regulations or any ordinance, resolution or rule adopted hereunder shall constitute a separate offense for each and every day the violation continues.

APPENDIX I

MISCELLANEOUS FEES

Miscellaneous Fees shall be adopted from time-to-time by the Board of Directors.

APPENDIX II

PROHIBITED WASTES

1. Any gasoline, benzene, naptha, fuel oil or other flammable, toxic or explosive liquid, solid and/or gas.
2. Any waters containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with any other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the sewage treatment plant, including but not limited to cyanides in excess of Two (2) mg/l as CN in the wastes as discharged to the public sewer.
3. Any waters or wastes having a pH lower than 5.5 or higher than 9.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the DISTRICT.
4. Solid or viscous substances in quantities or of such size capable of causing obstruction of the flow in sewers, or other interference with proper operation of the sewage works such as, but not limited to, ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, paper dishes, cups, milk containers, etc., either whole or ground by garbage grinders.
5. Any liquid or vapor having a temperature higher than 150°F (65°C) at the building sewer or which otherwise prohibit or inhibit organic activity in the sewage treatment plant.
6. Any water or waste containing fats, wax, grease or oils, whether emulsified or not, in excess of one hundred (100) mg/l or containing substances which may solidify or become viscous at temperatures between 32°F and 150°F (0°C and 65°C).
7. Any waters or wastes containing iron, chromium, copper, zinc, similar objectionable or toxic substances, or wastes exerting an excessive chlorine requirement, to such degree that any such material received in the composite sewage at the sewage treatment works exceeds the limits established for such materials.
8. Any waters or wastes containing phenols or other taste or odor-producing substances in such concentrations exceeding limits which may be established by the DISTRICT as necessary, after treatment of the composite sewage, to meet the requirements of the Federal, State or other public agencies having jurisdiction over effluent discharges.
9. Materials which exert or cause unusual concentrations of inert suspended solids (such as, but not limited to, Fullers earth, D.E., lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).
10. Any radioactive wastes or isotopes of such half-life or concentration as may exceed the limits set by Federal, State or County regulations.
11. Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such a degree that the sewage

treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over effluent discharges.

12. Septic and cesspool pumping, unless terms and conditions of the DISTRICT are accepted and written permission granted.
13. Surface runoff or ground water as provided in Section 5.5 of these rules and regulations.
14. Any compound which will produce noxious odor in the sewers or sewage treatment plant.
15. Any material or quantity of material that will cause significant damage to any part of the sewage system, or abnormal maintenance or operation costs for any part of the sewage system, or become a nuisance or menace to public health and safety.

APPENDIX III

SCHEDULE OF UNITS OF SERVICE

<u>TYPE OF CONNECTION</u>	<u>UNITS OF SERVICE</u>
RESIDENTIAL	
Single Family Dwelling	1.0
Apartment Houses (a)	2.0
Courts (a)	2.0
Duplexes	2.0
Motels (b)	1.0
Trailer Parks (c)	3.0
Bed and Breakfast Facilities (d)	2.0
COMMERCIAL	
Animal Clinics	3.0
Barber Shops	2.0
Beauty Shops	3.0
Camps and Parks (e)	4.0
Churches with Kitchens	2.0
Churches without Kitchens	1.0
Day Nurseries (f)	2.0
Drug Stores (g)	1.5
Food Markets (h)	2.0
Laundries and Laundromats (i)	12.0
Libraries	1.0
Meeting Halls with Kitchens	2.0
Meeting Halls without Kitchens	1.0
Pet Shops	2.0
Professional Buildings (j)	2.0
Public Buildings	1.0
Restaurants with Bar (k)	5.0
Restaurants without Bar (k)	3.0
School - Elementary and Nursery	10.0
School - Junior High and High	17.0
Service Stations	2.0
Swimming Schools (l)	1.0
Taverns (k)	3.0
GENERAL COMMERCIAL	
All commercial establishments not listed above or separately classified by future action of the BOARD (m)	1.5

The above "GENERAL COMMERCIAL" classification includes, but is not limited to, the following:

Appliance Stores	Liquor Stores
Automotive Car Dealers	Lumber Yards
Automotive Repair Shops	Miscellaneous Repair Shops
Bakeries	Moving and Storage
Brickyards	Nurseries-Horticultural
Cabinet Shops	Plumbing Shops
Candy Stores	Radio Stations

Cleaning Establishments
Clothing Stores
Food Lockers
Furniture Stores
Garages
Hardware Stores
Insurance Offices
Light Manufacturing

Radio & TV Sales & Service
Real Estate Offices
Roofing Yards
Sign Painting
Tire Sales and Repair
Trailer Sales and Service
Warehouses
Welding Shops

- a. One (1) additional service unit for each apartment over Two (2).
- b. One (1) additional service unit for up to each Three (3) motel units after the first Three (3).
- c. Three (3) additional service units for up to each Four (4) stalls after first Four (4).
- d. One (1) additional service unit for each Two (2) guest bedrooms after the first two (2).
- e. One (1) additional service unit for up to each Sixteen (16) fixture units in excess of Sixty-Four (64).
- f. One (1) additional service unit for up to each Six (6) children after the first Ten (10).
- g. One (1) additional service unit for up to each Five (5) employees after first Five (5). Add Two (2) service units for fountain.
- h. One (1) additional service unit for up to every Five (5) persons employed after first Five (5). Eating facilities to be classified separately as restaurants. Add Five (5) service units per month for commercial garbage grinder.
- i. One (1) additional service unit for up to each Seven Hundred Fifty (750) pounds dry wash per day after first One Thousand(1,000) pounds dry wash per day.
- j. One (1) additional service unit for each tenant.
- k. One (1) additional service unit for up to each Twenty (20) seats after first Twenty (20). (Small restaurants can be less than three (3) for basic rate). Add two (2) units for bar.
- l. One (1) additional service unit for up to each Three (3) toilets and/or showers after the first Three (3). (Does not include pool discharge).
- m. One (1) additional service unit for up to each Five (5) occupants after first Five (5).

For any type of service not described in the preceding schedule, Units of Service shall be determined by making a count of fixture units on the premises. Fixture units shall be determined as described in the CODE. For purposes of calculating Units of Service, one (1) Unit of Service shall be equal to 16 fixture units.

For commercial buildings with a variety of types of activity on one (1) connection, Units of Service shall be determined by taking the sum of the units of service for the individual enterprises or activities.

ORDINANCE NO. 65

**A ORDINANCE OF THE BOARD OF DIRECTORS OF THE
IDYLLWILD WATER DISTRICT, RIVERSIDE COUNTY,
CALIFORNIA, RESCINDING RESOLUTION 499 AND
ESTABLISHING REVISED SEWER SERVICE RULES AND
REGULATIONS OF THE IDYLLWILD WATER DISTRICT**

WHEREAS, the Idyllwild Water District is a County Water District organized and existing under the County Water District Law, and all of the lands within the boundaries of said District are located in the County of Riverside, State of California; and

WHEREAS, the District is authorized and empowered to own, operate, maintain, acquire, construct, finance, improve and extend a public sewer system ("Sewer System"); and

WHEREAS, the District does own, operate and maintain a Sewer System; and

WHEREAS, Section 31105 of the California Water Code empowers the District to adopt an ordinance relating to the provision of services and facilities relating to Sewer Service and the regulation of those services and facilities; and

WHEREAS, by adoption of Resolution No. 499 on July 17, 1997, Board of Directors adopted Rules and Regulations for Sewer Service; and

WHEREAS, from time to time, the District reviews and proposes changes to its Rules and Regulations for Sewer Service. The proposed changes have been made to update the Rules and Regulations for Sewer Service to conform to recent changes in the law, to propose consistency and conforming nomenclature throughout the document, and update definitions; and

WHEREAS, a public hearing has been held upon notice duly given of the time and place thereof, and at the time set; all persons interested were given an opportunity to be heard concerning any matters set forth in the proposed changes to its Rules and Regulations for Sewer Service; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE IDYLLWILD WATER DISTRICT AS FOLLOWS:

Section 1. Resolution No. 499 be and hereby is rescinded in its entirety.

Section 2. That the Rules and Regulations of the Idyllwild Water District for Sewer Service with appendices, attached hereto as Exhibit A and incorporated herein by this reference and made a part hereof, are hereby approved and adopted.

Section 3. The Board of Directors hereby finds this Ordinance and the Rules and Regulations for Sewer Service are not subject to the California Environmental Quality Act

(CEQA, Public Resources Code Sections 2100, et seq.), pursuant to Section 15378(b)(2) (the activity is not a project as it involves general policy and procedure making), 15378(b)(4) (fiscal activity), 15378(b)(5) (administrative or organizational activity that will not result in direct or indirect physical changes in the environment), and were determined to be categorically exempt from the CEQA pursuant to CEQA Guidelines 15301 (existing facilities), Section 15307 (the activity assures the maintenance, restoration, enhancement, or protection of a natural resource).

Section 4. If any section, subsection, sentence, clause or phrase of the Ordinance is, for any reason, found to be invalid or unconstitutional, such finding shall not affect the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance by section, subsection, sentence, clause or phrase, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases are declared unconstitutional.

Section 5. To the extent that the terms or provisions of this Ordinance may be inconsistent or in conflict with the terms or conditions of any prior District resolutions, ordinances or motions governing the same subject matter thereof, such inconsistent and conflicting provisions of prior resolutions, ordinances, or motions are hereby repealed.

Section 6. That the provisions of this Ordinance shall become effective upon adoption.

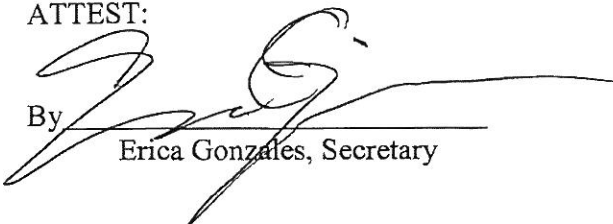
Section 7. That said Rules and Regulations shall be certified by the Secretary of the District, and the Secretary is hereby ordered and directed to publish a summary of the amendments with the names of those voting for and against the Ordinance or publish the Ordinance with Exhibit A, together with the internet address and physical location where the complete text of the amended Rules and Regulations may be viewed, once a week for two weeks in a newspaper of general circulation published in Riverside County, California, pursuant to the California Water Code.

ADOPTED, SIGNED AND APPROVED this 15th day of November, 2017.

IDYLLWILD WATER DISTRICT

By 
Dr. Charles Schelly, President
Board of Directors, Idyllwild Water District

ATTEST:

By 

Erica Gonzales, Secretary

CERTIFICATION

I, the undersigned, hereby certify that I am the Secretary of the Idyllwild Water District, a county water district of the State of California; that the foregoing is a full and correct copy of Ordinance No. 65 of said District, and that at a meeting held on the 15th day of November, 2017, the Ordinance was duly adopted by the following roll call vote:

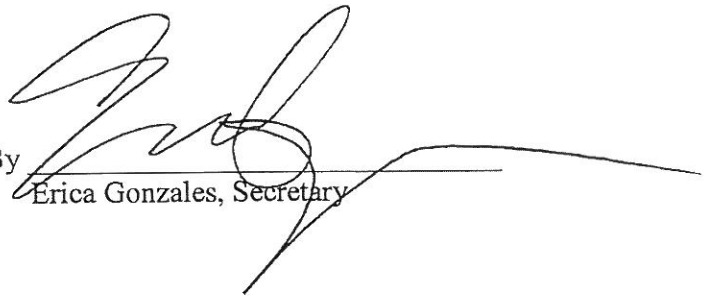
AYES: Steve Kunkle, Peter Szabadi, Catherine Dearing, Charles Schelly

NOES:

ABSENT: Geoffrey Caine

ABSTAIN:

By

A handwritten signature in black ink, appearing to read 'Erica Gonzales', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Erica Gonzales, Secretary