

## TITLE 20

### APPENDIX D

#### **Sewer Facilities and Non-Residential Wastewater Discharge Ordinance**

##### **Sections:**

**20.D.010 General Provisions.**

**20.D.020 Definitions.**

**20.D.030 Description of service.**

**20.D.040 Notices.**

**20.D.050 Application for service.**

**20.D.060 Rates and charges.**

**20.D.065 Extension of sewer mains and laterals and reimbursement.**

**20.D.070 Rendering and payment of bills.**

**20.D.080 Deposits.**

**20.D.090 Disputed bills.**

**20.D.095 Liens.**

**20.D.100 Annexation of property into the service area.**

**20.D.110 Construction of sewer extensions.**

**20.D.120 Procedures and policies for connection.**

**20.D.130 Continuity of service.**

**20.D.140 Protection from damage.**

**20.D.150 Use of the public sewers.**

**20.D.160 Powers and authority of inspectors.**

**20.D.170 Service Lateral and connections.**

**20.D.180 Construction standards for public and private sewers.**

**20.D.190 Service area boundaries.**

**20.D.200 Enforcement.**

##### **20.D.010 General provisions.**

A. Short title. This appendix shall be known and may be cited as the Douglas County sanitary sewer service and Non-Residential Pretreatment Ordinance.

B. Enabling statutes. This ordinance is adopted pursuant to NRS 244.157.

C. Enterprise. The County may furnish systems used for the collection of domestic and industrial wastewater and septage waste in the service area designated by the Board of County Commissioners, including all parts of the enterprise, all appurtenances thereto, and land, easements, rights in land, contract rights and franchises. Existing, approved developments within the service area previously authorized to receive reimbursement are subject to this ordinance.

D. Separability. If any section, subsection, sentence, clause or phrase of this

ordinance or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance or the application of such provision to other persons or circumstances. The Board hereby declares that it would have passed this ordinance or any section, subsection, sentences, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases may be declared to be unconstitutional.

E. Relief on application. When any person by reason of special circumstances, is of the opinion that any provision of this ordinance is unjust or inequitable as applied to his premises, he may make written application to the Director stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises. Every application granted by the Director shall be reviewed and approved by the Board.

Any written application for suspension or modification of a provision of the ordinance that has been denied by the Director may be appealed to the Board. The appeal to the Board must be filed within ten (10) days of notification from the Director that the application has been denied. The Board may suspend or modify the provision complained of, as applied to such premises, to be effective as of the date of the application and continuing during the period of the special circumstances.

F. Relief of own motion. The Director retains the right to grant adjustments and exceptions to the provisions of this ordinance in order to vary or modify the strict application in cases where there are practical difficulties or unnecessary hardships.

The Board may, on its own motion, find that by reason of special circumstances any special provision of this regulation and ordinance should be suspended or modified as applied to a particular premise and may, by Resolution, order such suspension or modification for any such premises during the period of such special circumstances, or any part thereof.

G. Review by the Board. This ordinance shall be reviewed by the Board not less than every two years to insure that the provisions of this ordinance are kept up to date and sufficient to operate the sanitary sewer facilities.

H. Words and phrases. For the purposes of this ordinance, all words used herein 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.

I. Billing authority. The County shall send out and collect bills for sewer service used for which no payment has been received. (Ord. 1262, 2008; Ord. 801, 1998; Ord. 692, 1995)

## **20.D.020 Definitions**

### **A. Words defined:**

1. "Applicant" means the person making application for service who shall be the owner of the premises, or its authorized agent, to be served or a person who renders such service to its customers.

2. "Application" means a written request for sewer service as distinguished from an inquiry as to the availability of or charges for such service.
3. "Average month" consists of 30 days.
4. "Billing period" means the period for which a billing is made. It may be for an average month and need not coincide with the calendar month (i.e., may be billed on a cycle of 29 to 31 days).
5. "Biochemical oxygen demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20 C, expressed in milligrams per liter (mg/l).
6. "Board" means the Board of County Commissioners.
7. "Building" means any structure used for human habitation or a place of business, recreation or other purposes containing sanitary facilities.
8. "Building drain" means that part of the lowest horizontal piping of a drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of the building and conveys it to the service lateral. The "building drain" shall be deemed to terminate five feet from the point the piping leaves the outside face of the building wall.
9. "Collection system" means the system of pipes, manholes, pump stations and appurtenances receiving liquid wastes from buildings and premises for the transmission to the treatment facility.
10. "Combined sewer" means a sewer receiving both surface runoff and sewage. A combined sewer is not permitted in the sewer service area.
11. "Contractor" means an individual, firm, corporation, partnership or association duly licensed by the state of Nevada to perform the type of work to be done under a permit.
12. "County" means the County of Douglas.
13. "Customer" means the person in whose name service is rendered as evidenced by the signature on the application or contract for that service, or in the absence of a signed instrument, by the receipt and payment of bills regularly issued in his name regardless of the identity of the actual user of the service.
14. "Date of presentation" means the date upon which a bill or notice is mailed or postmarked or delivered to the Customer.
15. "Discharge" means the addition of a pollutant or effluent to water or to the sewer system or to an individual sewage disposal system.
16. "Discharge Limit" means any applicable state, federal or county discharge standard or limitation which imposes any restriction or prohibition on quantities, rates or concentrations of chemical, physical, biological, and any other constituent discharged into the public sewer system.
17. "Director" means the Douglas County Public Works Director or his designee.
18. "Effluent" means sewage, industrial or any other waste pollutant, or water whether treated or untreated which is discharged into the public sewer system.

19. "Equivalent dwelling unit (EDU)" means the estimated quantity of sewage in gallons as established by County Resolution which the sewer system must handle for the specific use compared to the usage of an average single family dwelling which has a defined usage of units.

20. "Fixture" means any sink, tub, shower, water closet or other facility connected by drain to the sewer.

21. "Gallon" means the volume of sewage which occupies 231 cubic inches.

22. "Gaming areas" means any area where there are four or more slot machines or any other form of gaming.

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

24. "Industrial Discharge" means a discharge from any process of industry, manufacturing, trade or business, or from the recovery of any natural resource.

25. "Industrial wastes" mean the liquid wastes from industrial manufacturing processes, trade or business as distinct from sanitary sewage.

26. "Law" means any statute, rule or regulation established and enforced by Federal, State, County or Municipal authorities.

27. "Main sewer" means a public sewer designed to accommodate more than one service lateral sewer.

28. "Natural outlet" means any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

29. "Non-Residential" means any industry, commercial business, institution or other special use.

30. "Outlet" means any part of a plumbing system to which a fixture is attached.

31. "Outside sewer" means a sanitary sewer beyond the limits of the sewer service area not subject to the control or jurisdiction of the County.

32. "Owner" means a fee owner of the premises.

33. "Permanent service" means a service which, in the opinion of the Director, is of a permanent and established character. The use of the sewer may be continuous, intermittent or seasonal in nature.

34. "Permits and fees" means those charges and permits of authorizations required by the County for sewer service commensurate with costs and administration to issue said permits.

35. "Person" means any human being, individual, firm, organization, entity, company, partnership, trust, association, private, public or municipal corporation, the United States of America, the state of Nevada, a district, body or any political subdivision or governmental agency, a general improvement district, local improvement district or other quasi-municipal corporation.

36. "pH" means the negative logarithm of the hydrogen ion activity.

37. "Plumbing system" means all plumbing fixtures and traps or soil, waste, special waste and vent pipes, and all sanitary sewer pipes within a building. A "plumbing system" shall be deemed to extend to five feet from the point the piping leaves the outside face of the building wall (see "building drain").

38. "Pollutant" means any substance that impairs the chemical, physical, biological or radiological integrity of water

39. "Premises" means all of the real property and services to a single integrated activity operating under one name to one or more buildings, locations, or services, provided that a) such building, location or services are to a single unit of property; or, b) such two or more units or property immediately adjoining, except for intervening public highways, streets, alleys or waterways.

40. "Pretreatment limits" means the concentration of pollutants allowed in wastewater discharged to the public sewer as identified in this ordinance.

41. "Pretreatment permit" means a written authorization to discharge into the sewer system subject to conditions of approval and in compliance with discharge limits established herein.

42. "Prohibited Discharge" means wastewater which is prohibited from being discharged into the public sewer system.

43. "Properly managed garbage" means the wastes from the preparation, cooking and dispensing of food that has been reduced to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle greater than one-half inch in any dimension.

44. "Public Sewer" means the sanitary main sewer and appurtenances located in a public right-of-way or easement, utilized for the collection or conveyance of sewage discharged from individual service laterals, controlled by or under the jurisdiction of the County.

45. "Sanitary sewer" means a sewer which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

46. "Service area" means the Douglas County unincorporated sewer service area as designated in section 20.D.190.

47. "Service classification":

a. Residential service means service to a single family dwelling, condominium, individually owned mobile home, attached multiple residential units, dormitories and rooming houses, hotels and motels.

b. Commercial service means service to laundromats, theaters, stores, offices, general private and public businesses, gaming establishments and other public or amusement areas.

c. Institutional service means service to schools, churches, lodges, halls and hospitals.

d. Industrial and other special uses: service to special users not contemplated herein above based on the character or the waste, quantity and quality of the flow or the other unique installation or operating circumstances.

48. "Service connection" means the point of connection of the customer's service lateral with the County's facilities.

49. "Service Lateral" means the point of connection from the building drain to the Public Sewer. Operation and maintenance of the service lateral shall be at the expense of the property owner.

50. "Sewage" means a combination of the water-carried wastes from the residences, commercial or business buildings, institutions and industrial establishments.

51. "Sewage treatment plant" means any arrangement of devices and structures used for treating sewage.

52. "Sewage works" means all facilities for collecting, pumping, treating and disposing of sewage.

53. "Sewer" means a pipe or conduit for carrying sewage.

54. "Shall" is mandatory; may is permissive.

55. "Single family unit" is defined as and refers to the place of residence for a single family. It shall mean any residence, apartment, habitation or other structure, including a mobile home or trailer to be occupied by a single person or family requiring sewage disposal service. Property improved for multi-family purposes shall constitute the number of single family units.

56. "Slug" means any discharge of water, sewage or industrial waste which in concentration of any given constituent or in quantity of flow exceeds for a duration longer than 15 minutes more than five times the average 24 hour concentration of flows during normal operation. Slugs are not permitted to be discharged.

57. "Storm drain or storm sewer" means a sewer which carries storm, surface or ground waters and drainage, but excludes sewage and polluted industrial wastes.

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

59. "Superintendent" means the person appointed by the Director to superintend the sewage works and perform the work of the inspector and supervise the County utility.

60. "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 laboratory filtering.

61. "Tariff schedules" means the entire body of effective rates, charges and rules collectively of the County as set forth herein.

62. "Unit" means equivalent dwelling unit (EDU) as herein defined.

63. "Watercourse" means a channel in which a flow of water occurs, either continuously or intermittently. (Ord. 1438, 2015; Ord. 1262, 2008; Ord. 834, 1998; Ord. 801, 1998; Ord. 692, 1995)

**20.D.030 Description of service.**

A. Douglas County shall provide sewer service at the customer's service connection to meet reasonable needs and requirements of the customer and to meet the rules set forth in this ordinance and those required by the Health Division of the Human Resources Department of the state of Nevada, and Nevada Division of Environmental Protection.

B. The County reserves the right to determine if any existing non-residential discharge meets the established pretreatment limits.

C. Existing non-residential discharges which do not meet the pretreatment limits will be required to comply with this ordinance upon notification by the County. (Ord. 1262, 2008; Ord. 834, 1998; Ord. 801, 1998; Ord. 692, 1995)

**20.D.040 Notices.**

A. Notice to a customer will normally be in writing and will be delivered or mailed to the customer's last known address.

B. In emergencies, or when circumstances warrant, the County, where feasible, will endeavor to promptly notify the customer affected and may make such notification either in person or by telephone, and this notification will be followed by a letter.

C. A customer shall make notification in writing to the County at its administrative office at the public works department.

D. In emergencies, or when circumstances warrant, the customer may notify the County either in person or by telephone. This notification will be followed by a letter. (Ord. 1438, 2015; Ord. 801, 1998; Ord. 692, 1995)

**20.D.050 Application for service.**

A. Except as otherwise provided, service will be furnished only to applicants whose premises are wholly situated within the boundaries of the service area as adopted by Douglas County. Premises outside the service area boundaries can be served on the basis of a contract to be negotiated between the applicant and the County or inclusion in the service area.

B. Each applicant shall be required to apply for a sewer connection permit on a form provided by the County. The application must be accompanied by payment of the applicable sewer connection fee as adopted by the Board. Sewer connection permits will be issued by the department upon payment of the connection fee. The property owner will document as part of the application that no property other than his or her own or public property will be crossed, or an easement in a form suitable to the County engineer, legal counsel and Board must accompany the application. The application shall include information concerning the type of service, the purpose and the type of facilities to be served on a form as prescribed by the Director.

C. All proposed non-residential discharges to the public sewer system must first obtain a Pretreatment Permit from the County.

D. Any existing discharge of non-residential, industrial or commercial wastewater to the public sewer system shall file a complete pretreatment application no

later than sixty (60) days following notification by the County.

E. It is unlawful for any person to discharge non-residential wastewater to the public sewer system without a Pretreatment Permit, if notified by the County that a permit is required.

F. Any person wishing to commence future discharges of non-residential wastewater shall file a complete pretreatment permit application with the County ninety (90) days prior to discharging. The County may request additional information after a pretreatment permit application has been received.

G. Pretreatment permit applications shall be signed by an owner or another duly authorized representative of the owner.

H. The discharge permit may contain but is not limited to the following:

1. Pretreatment Limits on the wastewater constituents and characteristics.
2. Limits on average and maximum rate and time of discharge or allowable flows and equalization requirements.
3. Requirements for installation and maintenance of inspection and sampling facilities.
4. Requirements for sampling programs, which may include sampling locations, frequency of sampling, number, types, testing methods and reporting schedule.
5. Compliance schedules.
6. Requirements for maintaining records relating to the wastewater discharge.
7. Requirements to notify the County of any modification to the business, which changes the nature of the discharge.
8. Requirement to notify the County of a slug discharge.
9. Pretreatment of wastes before discharge.
10. Prohibition of discharge of certain wastewater constituents.
11. The duration of the permit not to exceed five (5) years. The expiration date of the permit will be shown on the permit. A new application must be filed with the County ninety (90) days prior to permit expiration.
12. Permits shall not be transferred to new owners without notification to the County and a new permit issued in the new owners name.
13. The County may after notice, modify, suspend or evoke any permit in whole or in part during its term for cause. (Ord. 1438, 2015; Ord. 1262, 2008; Ord. 801, 1998; Ord. 692, 1995)

#### **20.D.060 Rates and charges.**

A. Monthly per unit charge. All rates and charges shall be in such amounts as set forth in Resolutions adopted by the Board, and as revised from time to time in accordance with other provisions of these ordinances and applicable law.

A monthly per unit charge shall be made for the discharge of or the availability or discharge of all sewage into the County's sewer system. The monthly per unit charge



for each equivalent dwelling unit will be based upon cost-of-service and in compliance with the County's adopted financial policies. Where treatment costs include treatment at a facility not under the jurisdiction of the County, the costs may be adjusted in accordance with increases or decreases to these costs as approved by the operational entity of that treatment facility.

The total monthly charge will be computed based on the summation of the units of the user in accordance with the following schedule times the then current monthly per unit charge established by the County. Units are defined as the estimated quantity of sewage which the sewer system must handle for the specific use compared to the usage of an average single family dwelling which has a defined usage of unity. Where lift pumps operated by the County are used to serve a user, an additional charge/per sewer unit may be assessed to the user. Any additional charge/per sewer unit shall only be for the increased operation and maintenance costs directly chargeable to the user resulting from the lift pumps operated by the County to serve the user.

(continued on next page)

B. Schedule of sewer units for various uses:

	Equivalent Dwelling Unit
<p>1. Residential Use</p> <p>a. Single family dwellings, accessory dwelling units, timeshare units, condominiums per single family, single mobile homes and attached multiple residential rental units using common service lateral.</p>	1.0 unit per single family dwelling unit.
<p>b. Mobile home parks per stall or pad. The permanent residence of manager or owner will be treated as a single family residence.</p>	0.8 units per stall.
<p>c. Dormitories and rooming houses.</p>	0.25 units per sleeping room.
<p>d. Hotels and motels with the exception that the permanent residence of manager or owner will be treated as a single family residence.</p>	0.33 (one-third) units per sleeping room for up to and including a combined total of 3 drains or fixtures and 0.1 units for each and every additional drain or fixture.
<p>2. Commercial</p> <p>a. Laundromats.</p>	0.5 units per machine
<p>b. Restaurants, all prepared food establishments, bars, cocktail lounges and taverns.</p>	0.5 units per drain, all kitchen drains and general public use drains. Where the establishment is open more than 12 hours per day, 0.6 units per drain, and if no dishes are used, the 0.5 will be reduced to 0.3 units when open less than 12 hours per day and 0.4 when open more than 12 hours per day (but not less than one unit).

	Equivalent Dwelling Unit
c. Stores, offices, general private and public businesses. Each business containing a minimum of one unit. Multiple businesses in one building sharing a common restroom shall be considered as one business for the purpose of calculating one applicable sewer rate.	0.2 units per drain, per shift, for drains not available to general public. 0.3 units per drain for drains available to the general public (but not less than one unit).
d. Gaming establishments or gaming areas within other use buildings.	1.0 unit per 500 square feet (but not less than one unit).
e. Special drains: i) If any grease, excess cleaning agents or other agents not common to normal sewerage are discharged;	0.5 units.
ii) If any cooling water drains or continuously running drains are in use;	1.0 unit.
iii) For any public dump station for recreational vehicles only.	5.0 units per drain. For any RV Park having individual parking for unserviced spaces, an additional unit will be charged for one to six spaces, two units for seven to twelve spaces and three units for thirteen to eighteen spaces, etc.
iv) For garbage disposal, not in residence;	1.0 unit.
v) Heavy use drains serviced by more than one supply or one supply greater than 3/4" of water line;	0.2 units times number of water services to drain or its equivalent.
vi) RV parks	0.5 units per space.

	Equivalent Dwelling Unit
vii) Swimming pools.	In addition to the number of units for sanitary facilities and drains, a charge of 1.0 EDU for each 350 gallons of water used for back-washing the pool filters will be charged. The County will assess the maximum backwash flow based on information submitted by the applicant. The County will periodically monitor the pool and an operation and any changes noted may result in the charge of back-washing being modified to represent the actual operating conditions. A minimum of one unit for back-washing per pool will be assessed.
viii) Self service car washes.	1.5 units per stall.
ix) Condensate drains.	0.05 units per drain.
x) Standard floor drains	0.01 units per drain
3. Institutional a. Schools, first ADA after first month of school year and adjusted annually.	1.0 unit per 16 ADA pupils.
b. Churches.	1.0 unit per 6,000 square feet of worship area and 1.0 unit per 1,500 square feet for all other areas.
c. Lodges, halls, theaters, meeting rooms, amusement areas other than gambling.	1.0 unit per 2,000 square feet (but not less than 1.0 unit).
d. Hospitals.	1.0 unit per two beds
e. Assisted care facilities.	0.35 units per single bed.

4. Industrial, other special uses and alternatives. For all other uses, the applicant shall present all the applicable information required for evaluation to the Director. The Director will determine what the rate will be for the applicant based upon

the charge per EDU as determined by the Board.

a. Industrial discharges are limited to domestic waste and effluent pretreated to meet pretreatment limits established herein.

5. Miscellaneous.

a. In the event a private residence and a business are situated on the same premise, the following will be charged:

i) A charge will be assessed the residence in accordance with the rates applicable to residences.

ii) Any drains in the residence used by the business will be charged at the commercial rate in addition to the charges in paragraph (i) above.

iii) In the case of new construction, only one connection fee, computed on the larger rate, shall be payable, even though more than one common physical connection is constructed.

b. On vacant subdivided lots where facilities have been built in anticipation of future needs, a monthly availability fee per lot, as established by Resolution of the Board, will be charged to the owner of the lot until such time as a service is installed.

c. This ordinance shall take precedence over any terms or conditions of agreements or contracts which are inconsistent with the requirements of Section 204(b)(1)(A) of the Clean Water Act and 40 CFR 35.2140.

C. Connection charges.

1. Where new construction within the service area boundaries results in a sewer connection being made, the County may charge a connection charge.

a. Connection charge. The connection charge shall entitle the customer to treatment plant capacity. The charge is applied to all new users or sewer facilities in approximate proportion to their anticipated usage and is for the right service in the system. The connection charge shall be a fee charged in order to equalize the investment in sewer plant equipment and related facilities made by the County.

i) Computation of sewer units will be based on the schedule in 20.D.060, section B.

2. Where an existing building is remodeled or extended and such existing building is already served by an existing sewer connection, additional capitalization and connection charges shall be charged. These charges will be computed on the basis of the total sewer units for the remodeled or extended building, less the sewer units previously existing and paid for in the building prior to its remodeling or extension. A sewer connection permit must be obtained prior to commencing any work which results in a change in the sewer facilities within the remodeled or extended building or existing sewer line.

3. Where a sewer allocation has been made for a parcel of property, the allocation shall be completely utilized on that property before any additional allocation or connection requests will be considered for that property by the Director. In the event a piece of property with a sewer allocation is further parceled, the available capacity will be reduced by the connection requests within the original property

boundary and in the order in which they were requested. The allocation of capacity when a property is divided must be specifically approved by the Director.

4. Any connection charges paid for capacity for any completed project for which any connection permit has been issued may be refunded at the same rate at which initially assessed provided that refunds are requested within six months of completion of the project, except that no refunds will be granted more than two years after the payment of the connection charge. A service charge will be charged for all refunds as established by Resolution.

5. An applicant for a pretreatment permit shall pay an application permit fee with the permit application or connection permit and an annual inspection fee at a rate adopted by Resolution. The annual inspection fee will be due monthly and will be collected by the Public Works Department. (Ord. 1438, 2015; Ord. 1341, 2011; Ord. 1262, 2008; Ord. 834, 1998; Ord. 801, 1998; Ord. 692, 1995)

#### **20.D.065 Extension of sewer mains and laterals and reimbursement.**

A. General requirements. In the event that provisions of this title require the owner to extend the sewer, then the owner shall extend the sewer main along the entire frontage of his parcel unless it is found by the Director to be physically improper to do so.

B. Participation. The applicant is responsible for the construction of the sewer line system (or the sewer line system costs) along any of the property sides or frontages of the property along which a sewer line is needed for the overall completeness and continuity of the County's sewer main system. The applicant is responsible for the necessary and required system of sewer line within the interior of the tract of land.

1. The applicant shall construct all needed sewer lines (of approved sizes) within and along all sides or frontages of any piece of property prior to final approval of the development or the issuance of any certificate of occupancy. Phased construction of the sewer line system may also be specifically allowed if provided for in a development agreement between the applicant and the County. In lieu of actually constructing the required sewer line system, the applicant may secure the improvements in accordance with section 20.720.030. The applicant may also present a cash deposit, letter of credit, or similar method of financing the costs in a form acceptable to County, but in that event the estimated costs shall be based upon 150% of the cost of construction which may include statutorily required wage rates.

2. Whenever an applicant is required to construct a sewer line from the applicant's respective property to the nearest sewer line outside of the applicant's property, and where, in the opinion of the Director, it is necessary that a sewer line be constructed of a larger size than the minimum size needed to serve such property and that such extended sewer line will be or can be used in the collection of sewerage from adjacent properties, the Director shall require the applicant to construct the larger size sewer line in accordance with the plans and specifications as approved by the Director. Should the County require an oversized sewer line, the County will reimburse the

applicant for the costs of the additional sewer line size as long as the line is greater than ten inches in diameter, as set forth in a reimbursement agreement pursuant to chapter 20.460.

3. When the County agrees to pay for an increase in sewer line size, at least three proposals, signed and prepared by a contractor, shall be required which show the comparable cost of the incremental increase requested by the County. The County shall select the proposal most beneficial to it. In no event shall County pay more than the lowest proposal presented.

C. Reimbursement. If the applicant must extend the sewer line system through another property owner's property or along the frontages of various intermediate property owners, and if those properties are not currently served by the County's sewer system, then the intermediate and benefitting property owners shall be responsible when development commences or connection is made for a pro rata share of the costs of the sewer line extension, provided that the parcels were identified in the reimbursement fair share analysis and agreement.

1. When the applicant is required to extend a sewer line, he shall front-end the entire cost of the sewer line construction and shall be responsible for the actual construction of the sewer line. Any owners of properties to be served by the extended will thereafter be responsible for reimbursing the first property owner for a pro rata share of the costs of the sewer line system at the time the subsequent owners begin to plat, parcel, develop, or build upon their parcels or when connection is made for existing buildings.

2. The pro rata shares for the applicant and all subsequent or other owners benefited by the extended sewer line shall be determined prior to the County entering into the reimbursement agreement. The County shall collect a 15% administrative fee from the applicant who front-ended the sewer line construction upon reimbursement.

3. In no event shall any owners of the property to be served by such extended sewer lines be permitted to connect thereto without first paying to the applicant or the County the pro rata share of the costs described above as well as all other fees required by the County.

D. Any facilities installed pursuant to subsections A through C of this section are the property of the County upon inspection and approval by the County.

E. Lateral installation, maintenance, and reimbursement. Whenever the County, or a contractor hired by the County, extends a sewer main along the frontage of any property not connected to the County sewer system, the County may elect to install a sewer lateral or wye or both within the public right-of-way or easement adjacent to the property. If such a lateral or wye is installed by the County or its contractor, the property owner shall reimburse the County for the costs of the installation prior to connection of the property owner's sewer system to the sewer main. For the purposes of this section the costs which must be reimbursed are the costs incurred by the County at the time of the installation and include the County's final contract cost for the lateral or wye and any required pavement replacement. The payment of these costs by the

owner does not affect the duty of the owners of property to install, maintain, and repair sewer laterals in the public right-of-way or the easement which serve their property.

F. Agreements and effective period. Reimbursement agreements shall be negotiated between the Director or his staff and the applicant. If the parties are unable to reach an agreement, the dispute may be presented to the Board for resolution. Each agreement shall become null and void and no further reimbursement is obtainable ten years after the effective date of the agreement. (Ord. 1438, 2015; Ord. 801, 1998; Ord. 692, 1995)

### **20.D.070 Rendering and payment of bills.**

A. Presentment of bills. Statements for sewage rates and charges shall be rendered and mailed to the property owner. The bills shall be due and payable at the Public Works office on or before the twenty-fifth (25<sup>th</sup>) day of the month. When the 25<sup>th</sup> day falls on either a Saturday or Sunday, the bill will be due and payable on the following Monday. When the 25<sup>th</sup> day falls on a holiday, the bill will be due and payable on the next business day. Use charges shall begin to accrue the day on which service becomes available.

B. Rates and charges to constitute lien; remedies; penalties.

1. No application for sewer service shall be accepted from any customer who has any delinquent account.

2. The County may bring an action against the owner of the premises for the collection of the amount of the delinquency, all penalties and costs of collection, including a reasonable attorney's fee. Until paid, all rates, tolls or charges shall constitute a lien on the property and may be foreclosed by the County as provided by statute for the foreclosure of a lien.

3. A basic penalty for the nonpayment of charges when due for the first month's delinquency shall be charged. In addition, a penalty for each month for nonpayment of the charges will be assessed as established by Resolution.

C. No seasonal shutoffs or disconnections are allowed. Customers are responsible for paying the monthly sewer bill regardless of whether or not the dwelling or commercial building is occupied, except when determined by the County to be uninhabitable, or the Public Works Director may temporarily reduce the monthly sewer bill when a commercial parcel is unoccupied provided the parcel is independently metered for water and the water meter is locked-off. The monthly sewer bill will be reduced to reflect the fixed operations cost for the sewer utility, as established by resolution adopted by the Board of County Commissioners. The property owner will be responsible for paying any associated fees and charges for the water meter turn-off and turn-on, as established by resolution adopted by the Board of County Commissioners. (Ord. 1472, 2016; Ord. 1438, 2015; Ord. 801, 1998; Ord. 692, 1995)

### **20.D.080 Deposits.**

A. Amount to establish or reestablish credit. A deposit may be required to insure future payments, but the deposit shall not exceed a four month estimated billing. An



application for service will be refused because of nonpayment of bills for other classes of service at another address by the same owner.

B. Applicability to unpaid accounts. Deposits made under this rule will be applied to unpaid bills for service when such service has been discontinued.

C. Return of deposits. Upon discontinuance of service, the County will refund the balance of the customer's deposit in excess of unpaid bills for the service for which the deposit was made. (Ord. 801, 1998; Ord. 692, 1995)

**20.D.090 Disputed bills.**

A. In the case of a dispute between a customer and the County as to the correct amount of any bill, the customer shall deposit with the County the amount claimed by the County to be due.

B. If the customer fails to make such deposit within 15 days after written notice by the County, the County may commence legal proceedings to collect the bill.

C. In the event of dispute concerning any bill, charge or service, the County will make such an investigation as may be required by the particular case and will report the result of the investigation to the customer. (Ord. 801, 1998; Ord. 692, 1995)

**20.D.095 Liens.**

A. Pursuant to NRS 244.36605(2), delinquent charges for sewerage may be placed on the tax roll, or collected with the property taxes due on mobile or manufactured homes that do not meet the requirements of NRS 361.244, in the same manner, by the same persons, and at the same time as, together with and not separately from, Douglas County's general taxes.

B. The late payment penalty charges incurred under this chapter of the Douglas County Code will cease when the amount due is transferred to the Douglas County Treasurer for collection and is placed on the tax roll.

C. The Public Works Department shall cause a description of each lot or parcel of real property, or each mobile or manufactured home, with respect to which the charges that are delinquent on May 1<sup>st</sup> pursuant to this chapter and the amount of the delinquent charge to be prepared and submitted to the Douglas County Treasurer, in a form approved by the Treasurer, no later than June 1<sup>st</sup>.

D. The amount of any such delinquent charge constitutes a lien against the lot or parcel of land, or mobile or manufactured home, against which the charge has been imposed as of the time when the lien of taxes on the roll, or on mobile or manufactured homes, attach.

E. The Douglas County Treasurer will include the amount of the delinquent charges on bills for taxes levied against the respective lots and parcels of land or mobile or manufactured homes, as applicable. Thereafter, the amount of the delinquent charges must be collected at the same time and in the same manner and by the same persons as, together with and not separately from, the general taxes for the County.

F. All laws applicable to the levy, collection and enforcement of general taxes of the County, including, but not limited to, those pertaining to the matters of delinquency, correction, cancellation, refund, redemption and sale, are applicable to

delinquent charges for water, sewerage or storm drainage services that are authorized by this section. (Ord. 1441, 2015)

**20.D.100 Inclusion of property into the service area.**

A. An applicant desiring to have property included into the service area, for the purpose of obtaining sewerage service, shall make an application to the Director in writing. The application must contain:

1. A accurate legal description of the property; and
2. The consent of all the property owners or their agents.
3. A vicinity map showing the area to be included in relation to the existing service area boundaries. The area to be included must consist of a complete legal parcel or complete legal parcels of land as such are understood and defined by applicable Douglas County Code.

B. Every application for inclusion of property into the service area shall be reviewed and approved by the Board.

C. Every developer has the obligation to construct a minimum eight-inch sewer line. The County may require on-site or off-site sewer lines beyond the eight-inch minimum or beyond the applicant's needs greater than an eight-inch line, which oversized line will be constructed at the applicant's expense. Upon connection to the sewer system, the applicant shall dedicate all such oversized lines to the County and upon dedication, the County will operate and maintain all such lines. The County shall reimburse the applicant for the additional cost incurred for the increased size or design of such lines or other facilities based on a reimbursement agreement entered into by the County and the applicant or the following guidelines:

1. The Director shall determine the amount of money necessary to cover the cost of the construction for the oversized lines over and above the cost of the line or facilities that the applicant would expend if the construction of the sewer line were of the size, design and capacity sufficient to serve only the interest of the applicant. This excess cost shall then be prorated along the entire length of the line on a linear per-foot basis, hereinafter referred to as the "unit cost."

2. Any and all new applicants for capacity connecting to the oversized line shall pay to the County an amount based on the linear footage of line situated on the new applicant's property multiplied by the unit cost (per foot cost) originally determined by the Director. The County shall refund these amounts to the original applicant who paid for the original construction of the oversized line. Refunds shall be made as follows:

- a. Refunds shall be made without interest;
- b. Refunds shall be made within 90 days after the County receives payment from new applicants connecting to the line.
- c. If two or more applicants or parties pay for the oversized line, refundable amounts will be distributed to each applicant or party in the same proportion as each individual's payment bears to the total cost.
- d. No payment will be made by the County for any oversized line

costs after a period of ten years from the date the original applicant paid such costs. Any and all such nonrefundable amounts, even if later collected by the County from other applicants, shall become the property of the County.

D. All sewer design and construction shall meet the requirements of the County's applicable ordinances or any applicable facility plans. (Ord. 1438, 2015; Ord. 801, 1998; Ord.692, 1995)

**20.D.110 Construction of sewer extensions.**

All construction and procedures shall be in accordance with the County's applicable design criteria, rules, regulations and ordinances. (Ord. 801, 1998; Ord. 692, 1995)

**20.D.120 Procedures and policies for connection.**

All applicants desiring connection shall submit a written application to the County and will pay all applicable fees pursuant to section 20.D.170. (Ord. 1438, 2015; Ord. 1262, 2008; Ord. 801, 1998; Ord. 692, 1995)

**20.D.130 Continuity of service.**

A. Emergency interruptions.

1. The County will make all reasonable efforts to prevent interruptions to service and when such interruptions occur, the County will endeavor to reestablish service within the shortest possible time consistent with the safety for its customers and the general public.

2. If an emergency interruption of service affects the service to a customer, the County will promptly endeavor to notify the customer and any public agency with jurisdiction of the interruption and the subsequent restoration of service.

3. The County will not be responsible for the interruption, flooding, overflowing, line breakage or any loss or damage if it is caused by an act of God, fire, strike, riot, war, accident, breakdown, action by a governmental body or any other cause beyond the control of the County.

4. Under disaster conditions, the County will cooperate to the fullest extent with the governmental agency having authority.

B. Scheduled interruptions. Whenever the County finds it necessary to schedule an interruption of service it will, where feasible, notify all affected customers stating the approximate time and anticipated duration of the interruption. Scheduled interruptions will be made during hours which will provide the least inconvenience to the customers consistent with reasonable County operations. (Ord. 801, 1998; Ord. 692, 1995)

**20.D.140 Protection from damage.**

A. Any person who maliciously, willfully or negligently breaks, damages, destroys, uncovers, defaces or tampers with any structure, appurtenance or equipment which is a part of the County's sewerage works will be dealt with in accordance with the law.

B. The County may, in its sole unfettered discretion, grant a permit of encroachment on, to, or over its facilities. Such grant shall be considered on a case by case basis. The encroachment permit, if granted, must be signed by the County Engineer and the permittee before any right of encroachment is granted. (Ord. 1438, 2015; Ord. 801, 1998; Ord. 692, 1995)

**20.D.150 Use of the public sewers.**

A. No person shall discharge, or cause to be discharged, any storm water, surface water, groundwater, roof runoff, subsurface drainage, cooling water, swimming pool water or industrial process waters to any sanitary sewer without obtaining a Pretreatment permit.

B. No person shall discharge, or cause to be discharged, any pollutant to any public sewers at concentrations greater than the established pretreatment limits established in the ordinance or at a concentration established in a Pretreatment permit or at concentrations which could cause an upset at the publicly owned treatment works:

1. Any gasoline, corrosive acid, benzene, naphtha, fuel oil or flammable or explosive liquid, solid or gas.

2. Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, which will 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 sewage treatment plant.

3. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage work.

4. Any waters or wastes exerting an excessive chlorine requirement.

5. All discharges with animal or vegetable greases, or oils shall be pretreated with a great interceptor designed in accordance with Uniform Plumbing Code and shall not exceed 200 milligrams per liter.

6. Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the County in compliance with applicable state or federal regulations.

7. Materials which exert or cause:

a. Unusual concentration of inert suspended solids (such as, but not limited to, Fullers Earth, lime, slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate).

b. Excessive discoloration such as dye wastes and vegetable tanning solutions.

c. Unusual BOD, chemical oxygen demand, or chlorine requirements in such quantities as to constitute a significant load on the sewage treatment works.

d. Unusual volume of flow or concentration of wastes constituting

slugs.

8. 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 degree that the sewage treatment plant effluent cannot meet the requirements of other agencies having jurisdiction over discharge to the receiving waters.

9. Discharges from a septic tank may not be discharged into the public sewer system.

10. Runoff from a rendering bin storage area shall be designed to enter a trench drain and pretreated by a grease interceptor before entering the public sewer system.

11. Runoff from a gas station shall be designed to enter a trench drain and be pretreated by a sand/oil separator before entering the public sewer system.

12. Enzymes, bacteria or emulsifiers shall not be utilized in the public sewer system unless specifically allowed in a pretreatment permit.

13. The following pollutants shall not be discharged into the public sewer above the pretreatment limits listed below:

Pollutant	PRETREATMENT LIMITS (mg/l)
Arsenic	0.073
Boron	1.5
Cadmium	0.11
Total Chromium	3.3
Chloride	560
	Secondary Standard
Copper	1.3
Cyanide	EPA Technology based-Site Specific Evaluation but not greater than 2 mg/l
Iron	340
Lead	0.37
Manganese	2.7
Mercury	0.00234 Site Specific Evaluation
Molybdenum	0.075
Nickel	0.68
Selenium	0.176
Silver	2.9
Zinc	3.7
Oil and Grease	200
BOD5	400 or a total headworks loading of 150 lb/day
TSS	350 or a site specific evaluation

Non-biodegradable oil, petroleum, or refined petroleum products	100
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14. A discharge that does not comply with established pretreatment limits or has been determined by the County to have the potential to cause an upset or bypass at the Wastewater treatment plant shall be required to pretreat the wastewater to such a degree that the final effluent either meets the pretreatment limits or is acceptable to the County. Pretreatment devices include but are not limited to grease interceptors, sand/oil interceptors, filters, chemical or biological plants.

C. If any waters or wastes are discharged, or are proposed to be discharged, to the public sewers which contain the substances or possess the characteristics enumerated in paragraph B, above, and which, in the judgment of the County, may have a deleterious effect upon the sewage works, processes, equipment, or receiving waters or which otherwise create a hazard to life or constitute a public nuisance, the County may:

1. Reject the wastes.
2. Require pretreatment to an acceptable condition for discharge of the public sewers.
3. Require control over the quantities and rates of discharge.
4. Require payment to cover the added cost of handling and treating the wastes not covered by existing sewer charges. If the County permits the pretreatment or equalization of waste flows, the design and installation of the plants and equipment shall be subject to the requirements of all applicable codes, ordinances and laws.

D. Grease, oil and sand interceptors must be provided when they are necessary for the handling of liquid wastes, sand or other harmful ingredients, except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors, types and locations shall be determined by the County. The locations are to be easily accessible for inspection and cleaning. All food processing establishments or restaurants or other uses when food is served to the public must have a grease interceptor approved by the County. All grease interceptors must be maintained and cleaned on a regular basis that is acceptable to the County. All self service car wash facilities must have sand/oil interceptors of a size designated by the County based on the information submitted by a user. The facilities will be subject to review and revision as deemed appropriate by the County.

E. Where preliminary treatment, flow-equalizing facilities, or grease, oil or sand interceptors are provided for any waters or wastes, they shall be maintained continuously in satisfactory and effective operation by the owner and at his expense.

F. When required by the County, the owner of any property served by a sewer carrying industrial wastes shall install a suitable control structure together with such necessary meters and other appurtenances in the sewer to facilitate observation, sampling and measurement of the wastes. Such structure, when required, shall be accessible and safely located and shall be constructed in accordance with plans

approved by the County. The structure shall be installed by the owner at his expense and shall be maintained by him so as to be safe and accessible at all times.

G. All measurements, tests and analyses of the characteristics of waters and wastes to which reference is made in these regulations shall be determined in accordance with the appropriate reporting requirements of the Nevada Division of Environmental Protection. (Ord. 1262, 2008; Ord. 801, 1998; Ord.692, 1995)

**20.D.160 Powers and authority for inspectors.**

Designated employees and representatives of the County shall be permitted to enter properties for the purpose of inspection, observation, sampling and testing of sewer facilities in accordance with the provisions of this ordinance. (Ord. 801, 1998; Ord. 692, 1995)

**20.D.170 Service lateral connections.**

A. No person shall uncover, make any connection with or open into, use, alter or disturb any public sewer or appurtenance thereof without first obtaining a permit from the County.

B. An owner desiring to make a connection to a public sewer shall make application for a permit on a form furnished by the County. The permit application shall be supplemented by all plans, specifications and other information considered pertinent by the County. An applicable connection fee, as established by Resolution, shall be paid by the owner to the County prior to his obtaining a building permit and before the sewer service permit is issued.

C. All costs of construction of the service lateral including the connection to the sewer main shall be paid by the owner. Costs for plan review and inspection by the County is included in the permit fee. The owner shall indemnify the County from any loss or damage that may directly or indirectly be occasioned by the installation of the service lateral.

D. Except as hereinafter provided or when approved by the Director, a separate and independent service lateral shall be provided for every residential parcel or commercial unit provided, that a connection charge and monthly service charge be collected for each equivalent dwelling unit. Row homes or other buildings integrally separate shall have separate laterals if reasonably possible. Each individual commercial unit on a separate parcel; but, within a single structure served by a common sewer lateral will be charged a connection charge and monthly service charge as provided herein.

E. Old service laterals may be used in connection with new buildings only when they have been examined, tested and found by the County to meet all requirements of its regulations.

F. Whenever possible, the lateral sewer shall be brought to the building at an elevation below the lowest floor. In buildings where any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain

shall be lifted by a pumping facility approved by the County and discharged to the lateral sewer or pumped directly to the public sewer. Operation and maintenance of the pumping facility shall be at the expense of the owner.

G. No person shall make a connection of roof downspouts, exterior or interior foundation drains, areaway drains or other sources of surface runoff or groundwater to a service lateral, building sewer or building drain which is connected to a public sewer. (Ord. 1438, 2015; Ord. 834; 1998; Ord. 801, 1998; Ord. 692, 1995)

**20.D.180 Construction standards for public sewers.**

Public sewers may be constructed by the applicant or by the County at the applicant's expense. Procedures governing the appropriate requirements and agreements are set forth in the Douglas County design criteria and improvement standards manual. (Ord. 1438, 2015; Ord. 801, 1998; Ord. 692, 1995)

**20.D.190 Service area boundaries.**

The service area boundaries will be established and may be amended by the Board through the Master Plan process, annexation or service agreement. The service area can be established by legal description or by map. If the service area is established or amended by map, the map shall be maintained on file with the County Clerk in the same manner as the ordinance. (Ord. 1438, 2015; Ord.801, 1998; Ord. 692, 1995)

**20.D.200 Enforcement**

A. Designated Douglas County employees may take appropriate action against a discharger or any combination of dischargers provided there is evidence that a discharge is presenting an imminent and substantial endangerment to the health or welfare of persons or treatment works.

B. Whenever a discharger is violating any provision of the Ordinance or their discharge permit, Douglas County may:

1. Issue an order, which factually specifies the provision or provisions of the ordinance or permit, which is being or has been violated and specifies the corrective action to be taken and a reasonable time for completing the corrective action.

2. Commence a civil action pursuant to Title 20.01110.

3. Request the district attorney to institute a criminal prosecution pursuant to Chapter 1.08.

C. Upon receipt of an order, the discharger may request in writing a hearing within 10 days of receipt of the order. The hearing will be with the Public Works Director or designee and the discharger may produce additional data, reports or any relevant material. The Public Works Director will after consideration of the additional information issue a final order.

D. Any person who knowingly makes any false statement, representation, or certification in any application, record, report, plan or other document filed or required by this ordinance, or who falsifies or tampers with, or knowingly renders inaccurate any monitoring device is guilty of a misdemeanor and shall be punished by a fine of not



more than \$1,000.00 or by imprisonment in the County jail for not more than six months or by both fine and imprisonment. (Ord. 1438, 2015; Ord. 1262, 2008)