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ORD. #677
3349008

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December

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PROOF OF PUBLICATION

STATE OF NEVADA,
COUNTY OF WASHOE

ss.

Terry Oyhamburu

being first duly sworn, deposes and says: That as the legal clerk of the RENO GAZETTE-JOURNAL, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice of County Ordinance

of which a copy is hereto attached, was first published in said newspaper in its issue dated the 16th day of Dec., 1985 and, Dec. 23, the full period of 2 days, the last publication thereof being in the issue of December 23, 1985.

Signed

Terry Oyhamburu

Subscribed and sworn to before me this

23rd day of December, 1985

Alice L. Buffalo
Notary Public



ALICE L. BUFFALO
Notary Public - State of Nevada
Appointment Recorded In Washoe County
MY APPOINTMENT EXPIRES JUNE 5, 1989

NOTICE OF COUNTY ORDINANCE
NOTICE IS HEREBY GIVEN that Bill No. 851, Ordinance No. 677, entitled "An ordinance amending Washoe County Ordinance No. 577 by changing the title and service area from South Sun Valley Service Area to Washoe County Unincorporated Area; and adding an article defining the areas served," was adopted on December 10, 1985, by Commissioners King, Lillard, McDowell, Ritter and Williams.

Typewritten copies of the Ordinance are available for inspection by all interested persons at the office of the County Clerk.

Judi Bailey
County Clerk

3349008-ORD. #677
Dec. 16, 23-bja133

SUMMARY: Amends South Sun Valley Sewer Service Area Ordinance by changing the title and modifying the service area, to include all areas of Washoe County not currently covered by a separate ordinance where sanitary sewer service operated and maintained by Washoe County exists or may exist.

BILL NO. 851

ORDINANCE NO. 677

AN ORDINANCE AMENDING WASHOE COUNTY ORDINANCE NO. 577 BY CHANGING THE TITLE AND SERVICE AREA FROM SOUTH SUN VALLEY SERVICE AREA TO WASHOE COUNTY UNINCORPORATED AREA; AND ADDING AN ARTICLE DEFINING THE AREAS SERVED

THE BOARD OF WASHOE COUNTY COMMISSIONERS OF THE COUNTY OF WASHOE DO ORDAIN;

Section 1. Article I of Ordinance 577 is hereby amended to read as follows:

ARTICLE 1 GENERAL PROVISIONS

1. Short Title. This ordinance may be cited as "[South Sun Valley] Washoe County Unincorporated Sewer Service Area Sewer Service Charge Ordinance".

2. Enabling Statutes. This ordinance is adopted pursuant to NRS [244.366] 244.157 and [318.205] 318.199.

3. Enterprise. The County will furnish a system used for the collection of domestic and industrial wastewater and septic tank effluent, including all parts of the enterprise, all appurtenances thereto, and lands, easements, rights in land, contract rights and franchises.

4. Separability. If any section, subsection, sentence, clause or phrase of this ordinance or the application thereof to any person or circumstances 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, sentence, 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.

5. 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 Board stating the special circumstances, citing the provision complained of, and requesting suspension or modification of that provision as applied to his premises.

If such application be approved, the Board may, by resolution, 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.

6. Relief on Own Motion. The Board may, on its own motion, find that by reason of special circumstances any 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.

7. The County shall send out bills for sewer service used for which no payment has been received. The County shall use these current rates for determining the payments used.

Section 2. Article II of Ordinance No. 577 shall be amended to read as follows:

ARTICLE 11 - DEFINITIONS

1. Additional Definitions. For the purpose of this ordinance, additional terms shall have the meanings indicated in Chapter 1 of the latest edition of the Uniform Plumbing Code as prepared by the International Association of Plumbing and Mechanical Officials.

2. Applicant shall mean for the Person, Business or governmental agency making application for a permit for a sewer or plumbing installation or to discharge wastewater into any sewer.

3. Application shall be a written request for sewer service as distinguished from an inquiry as to the availability of, or charges for such services.

4. Area shall be the [South Sun Valley] Washoe County Unincorporated Sewer Service Area.

5. Billing Period shall be the period for which a billing is made. For residential services, it may be an average quarter and need not coincide with three consecutive calendar months

(i.e. may be billed on a cycle of between 90 and 92 days). For all other services, it may be for an average month and need not coincide with the calendar month (i.e. may be billed on a cycle of 28 to 31 days).

6. Biochemical oxygen demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20 degrees C.

7. Board shall mean the Board of County Commissioners.

8. Building shall mean any structure used for human habitation or a place of business, recreation or other purpose requiring wastewater disposal services.

9. Building Drain shall mean 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 building sewer. The building drain extends three (3) feet outside the inner face of the building wall.

10. Building Sewer shall mean that portion of any sewer beginning at the building drain and extending to the property line or to a private sewage disposal system.

11. Collection System shall mean the system of sewers, manholes, pump stations and appurtenances receiving liquid wastes from buildings and premises for transmission to the treatment facility.

12. Combined Sewer shall mean a sewer intended to receive both surface runoff and sewage.

13. Commercial Building shall mean any building, structure or facility or a portion thereof, devoted to the purposes of trade or commerce, such as a store or office building.

14. Contractor shall mean an individual, firm, corporation, partnership or association duly licensed by the State of Nevada to perform the type of work to be done under the Permit.

15. County shall mean the County of Washoe, Nevada.

16. County Sanitary Engineer shall mean the Engineer appointed and acting for the County.

17. Cubic Foot is the volume of water which occupies one cubic foot. The cubic foot is equal to 7.481 gallons.

18. Customer shall mean the person in whose name service is rendered as evidenced by his 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.

19. Date of Presentation shall be the date upon which a bill or notice is either postmarked or hand delivered to the Customer.

20. District shall mean the Washoe County Special Assessment District No. 4.

21. Domestic Wastewater shall mean the spent water from building water supply to which has been added the waste materials of bathroom, kitchen and laundry.

22. Easement shall mean an acquired legal right for the specific use of land owned by others.

23. Fixture shall mean any sink, tub, shower, water closet or other facility connected by drain to the sewer.

24. Fixture Unit is defined and has that weighted value assigned in the latest edition of the Uniform Plumbing Code.

25. Floatable Oil is oil, fat or grease in a physical state such that it will separate by gravity from wastewater by pretreatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and does not interfere with the collection system.

26. Gallon is the volume of water which occupies 231 cubic inches.

27. Garbage shall mean the animal and vegetable waste resulting from the handling, preparation, cooking and serving of foods.

28. Inspector shall mean an individual designated to inspect facilities which are the subject of this ordinance.

29. Industrial Wastewater shall mean the wastewater from industrial processes, trade or business as distinct from domestic wastewater.

30. Lateral Sewer shall mean the portion of a public sewer lying within a public street connecting a building sewer to the main sewer.

31. Law is any statute, rule or regulation established by Federal, State, County or Municipal authorities.

32. Living Unit shall mean any residence, apartment, or other structure to be occupied for habitational purposes by a

single person or family and requiring wastewater disposal services.

33. Main Sewer shall mean a public sewer designed to accomodate more than one lateral sewer.

34. May is permissive (see "shall", Sec. [56] 57).

35. Metered Service is a service for which charges are computed on the basis of measured quantities of water or wastewater.

36. Natural Outlet shall mean any outlet, including storm sewers and combined sewer overflows, into a watercourse, pond, ditch, lake or other body of surface or groundwater.

37. Outside Sewer shall mean a sanitary sewer beyond the limits of the Sewer Service Area not subject to the control or jurisdiction of the County.

38. Permanent Service is a service which, in the opinion of the County Sanitary Engineer, is of a permanent and established character. The use of the sewer may be continuous, intermittent or seasonal in nature.

39. Permit shall mean any written authorization required pursuant to this or any other regulation of the Service Area for the installation or operation of any wastewater works.

40. Person shall mean any individual, firm, company, partnership, association, corporation or group.

41. pH shall mean the logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example has a pH value of 7 and a hydrogen-ion concentration of 10^{-7} .

42. Plant shall mean the Reno/Sparks Joint Wastewater Control Plant.

43. Plumbing Outlet shall mean any part of a plumbing system to which a fixture is attached.

44. Plumbing System shall mean all plumbing fixtures and traps; all soil, waste, vent pipes, and all sanitary sewer pipes within a building and the building drain.

45. Premises shall mean 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: (a) such buildings, locations or services are to a single unit of property; or (b) such buildings, locations or services are on two or more units of property immediately adjoining, except for

intervening public highways, streets, alleys or waterways.

46. Private Sewer shall mean a sewer serving an independent wastewater disposal system not connected with a public sewer and which accommodates one or more buildings or industries.

47. Properly Shredded Garbage shall mean garbage that has been shredded 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 1/2-inch in any direction.

48. Public Sewer shall mean a sewer lying within a public highway, road, street, avenue, alley, way, public place, public easement or right of way and which is controlled by or under the jurisdiction of the County.

49. Residential Equivalent shall mean 25 weighted fixture units as defined in the latest edition of the Uniform Plumbing Code.

50. Sanitary Sewer shall mean a sewer which carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm and surface waters that are not admitted intentionally.

51. Septic tank effluent shall mean the supernate liquid waste discharged by an approved septic tank, containing no solid waste material.

52 [51]. Service Classification shall mean:

- A. Commercial Unit - Group I Service: Service to office buildings, private clubs, motels or hotels, 4or portions thereof, without kitchen, laundry or other facilities (excepting toilet facilities) which require wastewater disposal services.
- B. Commercial Unit - Group II Service: Service to all commercial buildings not in Group I, or portions thereof, and shall include but not be limited to, department stores, restaurants, clubs and schools.
- C. Industrial Service: Service to customers engaged in a process which creates or changes raw or unfinished materials into another form or product. (Factories, mills, machine shops, mines, pumping plants, creameries, canning and packing plants, or processing activities.)
- D. Residential Service: Service to a customer in a single family dwelling, mobile home or building, or in an individual flat, condominium, or apartment in a multiple family dwelling, or building or portion

thereof occupied as the home, residence or sleeping place of one or more persons.

53 [52]. Service Connection. The point of connection of the Customer's piping with County's facilities.

54 [53]. Sewage is wastewater; see Sec. 63.

55 [54]. Sewer shall mean a pipe or conduit that carries wastewater.

56 [55]. Side Sewer shall mean the sewer line beginning three (3) feet outside the foundation wall of any building and terminating at the main sewer and shall include the building sewer and lateral sewer together.

57 [56]. Shall is mandatory (see "May" Sec. 34).

58 [57]. Slug shall mean any discharge of water or wastewater which in concentration of any given constituent or in quantity of flow exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation and shall adversely affect the collection system and/or performance of the wastewater treatment works as determined by the County Sanitary Engineer.

[58. South Sun Valley Sewer Service Area shall be that portion of Washoe County for which sewage capacity at the Plant has been obtained through an intergovernmental agreement with the Sun Valley Water and Sanitation District. The Area is bounded on the North by the Sun Valley Water and Sanitation District; on the East by the north, south 1/4 section lines of Sections 29 and 32, T.20N., R.20E.; on the South by the City limits of Reno and Sparks; and on the West by eastern boundary of Sections 25 and 36, T.20N., R.20E.]

59. Storm Sewer or Storm Drain shall mean a sewer which carries storm water, groundwater, subsurface water, or unpolluted water from any source.

60. Storm Water shall mean excess water entering sewers during rainfall, snowfall, or following and resulting therefrom.

61. Suspended Solids shall mean total suspended matter that either floats on the surface of, or is in suspension in, water, wastewater, or other liquids, and that is removable by laboratory filtering as prescribed in "Standard Methods for the Examination of Water and Wastewater" and referred to as nonfilterable residue.

62. Unpolluted Water is water of quality equal to or better than the effluent criteria in effect or water that would not

cause violation or receiving water quality standards and would not benefit by discharge to the sanitary sewers and wastewater treatment facilities provided.

63. Wastewater shall mean the spent water of a community. From the standpoint of source, it may be a combination of the liquid and water-carried wastes from residences, commercial buildings, industrial plants, and institutions, together with any groundwater, surface water, and stormwater that may be present.

64. Wastewater Facilities shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes and dispose of the effluent.

65. Wastewater Treatment Works shall mean an arrangement of devices and structures for treating wastewater, industrial wastes, and sludge. Sometimes used as synonymous with "waste treatment plant" or "wastewater treatment plant" or "water pollution control plant".

66. Watercourse shall mean a natural or artificial channel for the passage of water either continuously or intermittently.

Section 3. Article VII of Ordinance No. 577 is hereby amended to read as follows:

ARTICLE VII. DISCONNECTION

1. Customer's Request for Discontinuance of Service. A Customer may have service discontinued by giving not less than five (5) days advance notice thereof to the County. Charges for service may be required to be paid until the requested date of discontinuance or such later date as will provide not less than the required five (5) days advance notice.

When such notice is not given, the Customer will be required to pay for service until five (5) days after the County has knowledge that the Customer has vacated the premises or otherwise has discontinued sewer service.

2. Discontinuance of Service by County.

A. For Nonpayment of Bills. A Customer's service may be discontinued for nonpayment of a bill for service furnished if the bill is not paid within fifteen (15) days after presentation, provided the County has given the Customer at least five (5) days prior notice of such intention.

Premises to which charges have become delinquent may be disconnected from the sewer system. The County shall estimate the cost of disconnection of such premises and the cost of reconnection thereto,

and such user shall deposit the cost as estimated of disconnection and reconnection before such premises are reconnected to the sewer system. The amount of the cost of disconnection and reconnection over the deposit shall constitute a charge and be collected as such. The amount of the deposit not used shall be repaid or applied as a deposit.

- B. For Noncompliance with Rules. The County may discontinue service to any Customer for violation of these rules after it has given the Customer at least five (5) days written notice of such intention. Where safety of water supply is endangered, or the discharge to the sewer is dangerous to public safety, service may be discontinued or curtailed immediately without notice.
- C. For Infiltration or Illegal Connections. Where negligence, infiltration, illegal connection or discharge of harmful wastes into the collection system, on or from a Customer's premises occurs, the County may make such corrections as may be indicated at Customer's expense, if such practices are not remedied within five (5) days after it has given the Customer written notice to such effect.
- D. For Unsafe Apparatus or Where Service is Detrimental or Damaging to the County or its Customers. If any unsafe or hazardous condition is found to exist on the Customer's premises, or if the sewage or waste therefrom, by apparatus or illegal or prohibited connections, apparatus, equipment or otherwise, is found to be detrimental or damaging to the County or its Customers, the service may be discontinued without notice. The County will notify the Customer immediately of the reasons for the discontinuance and the corrective action to be taken by the Customer before service can be restored.
- E. For Fraudulent Use of Service. When the County has discovered that a Customer has obtained service by fraudulent means, or has altered the sewer service for unauthorized use, the service to that Customer may be discontinued without notice. The County will not restore service to such Customer until that Customer has complied with all filed rules and reasonable requirements of the County and the County has been reimbursed for the full amount of the service rendered and the actual cost that the County incurred by reason of the fraudulent use.

3. Restoration of Service.

- A. To be Made During Regular Working Hours. The County will endeavor to make reconnections during regular working hours on the day of the request, if conditions permit; otherwise, reconnection will be made on the regular working day following the day the request is made.
- B. To Be Made At Other Than Regular Working Hours. When a Customer has requested that the reconnection be made at other than regular working hours, the County will reasonably endeavor to so make the reconnection if practicable under the circumstances, but will be under no obligation to do so, unless an emergency exists.

4. Refusal to Serve.

- A. Conditions for Refusal. The County may refuse an Applicant for service under the following conditions:
- (1) If the Applicant for service is not within the boundaries of the Service Area.
 - (2) If the intended use of the service is of such a nature that it will be detrimental or injurious to existing Customers.
 - (3) If the Applicant fails to comply with any of the rules as approved by the Board.
 - (4) If, in the judgment of the County, the Applicant's installation for utilizing the service is unsafe or hazardous or subject to freezing, or flooding, or of such nature that satisfactory service cannot be rendered.
 - (5) Where service has been discontinued for fraudulent use, the County will not serve an Applicant until it has determined that all conditions of fraudulent use or practice have been corrected.
 - (6) When the collection lines, disposal systems, or treatment facilities do not have capacity or the capability to receive and/or treat sewage, septic tank effluent, or liquid waste without contamination of the watershed of the Truckee River, or in violation of Health Department requirements.
 - (7) If the County's leased capacity at the Plant

has been allocated, and additional capacity cannot be obtained.

- B. Notification to Customers. When an Applicant is refused service under the provisions of this rule, the County will notify the Applicant promptly of the reason for the refusal to serve and of the right of the Applicant to appeal the County's decision to the Board.

Section 4. Article VIII is hereby added to Ordinance No. 577 to read as follows:

ARTICLE VIII SERVICE AREAS

1. Intention. The intent of this Ordinance is to establish a schedule of rates and charges for provision of sanitary sewer by Washoe County for all service areas in the unincorporated areas of Washoe County not currently covered by a separate ordinance.

2. Service Areas.

A. South Sun Valley Sewer Service Area shall be that portion of Washoe County for which sewage capacity at the Plant has been obtained through an intergovernmental agreement with the Sun Valley Water and Sanitation District. The Area is bounded on the North by the Sun Valley Water and Sanitation District; on the East by the north, south 1/4 section lines of Sections 29 and 32, T.20N., R.20E.; on the South by the City limits of Reno and Sparks; and on the West by eastern boundary of Sections 25 and 36, T.20N., R.20E.

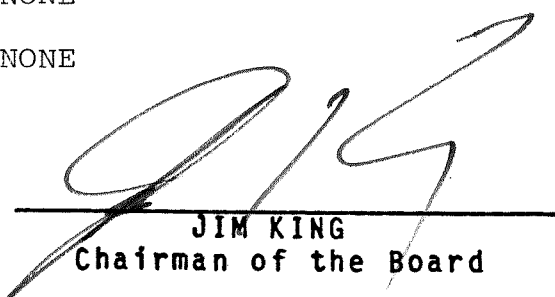
B. Southern Comfort Sewer Service Area shall be that portion of Washoe County for which capacity exists to transfer septic tank effluent to a common disposal system, operated and maintained by Washoe County Utility Division. The service area is defined as Lots 4, 5, 6, 7, 11, 12, 13, 14 and 15 of Block A in Southern Comfort Unit One Subdivision, Tract Map Number 2216, Official Records of Washoe County, Parcels 1, 2 and 3 of Parcel Map Number 1814, Official Records of Washoe County, Parcel N of Parcel Map 757, Official Records of Washoe County and Parcel 2 of Parcel Map 1504, Official Records of Washoe County as revised by Documents 959409 and 988381 recorded October 30, 1984 and April 5, 1985 respectively, in the Official Records of Washoe County, Nevada.

C. All other service areas in the unincorporated areas of Washoe County not currently covered by a separate ordinance.

Proposed on the 12TH day of NOVEMBER, 1985.
Proposed by Commissioners RITTER
Passed on the 10TH day of DECEMBER, 1985.

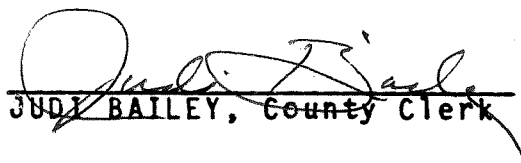
Vote:

Ayes: Commissioners: LILLARD, MCDOWELL, KING, RITTER & WILLIAMS
Nays: Commissioners: NONE
Absent: Commissioners: NONE



JIM KING
Chairman of the Board

ATTEST:



JUDY BAILEY, County Clerk

This ordinance shall be in force and effect from and after the day of DECEMBER 23, 1985.