

Title 4 - Sewer Use

4.01 General Provisions

4.01.010 Rules and Regulations

The following rules and regulations respecting sewer construction and disposal of sewage and drainage of buildings and connection to the sewage works of the District are hereby adopted, and all work in respect thereto shall be performed as herein required and not otherwise.

4.01.020 Purpose

District Code is intended to provide rules and regulations for the use and construction of sanitary sewer facilities hereafter installed, altered or repaired within the District. District Code shall not apply retroactively, and in the event of an alteration or repair hereafter made, it shall apply only to the new materials and methods used herein.

4.01.030 Intentionally Omitted

4.01.040 Violation Unlawful

Following the effective date of this ordinance, it shall be unlawful for any person to connect to, construct, install or provide, maintain and use any other means of sewage disposal from any building in said District except by connection to a public sewer in the manner as in this ordinance provided, unless a waiver is granted by the General Manager.

4.01.050 Relief on Application

When any person, by reason of special circumstances, is of the opinion that any provision of this Code 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, but only to the extent compatible with State and Federal laws, rules and regulations pertaining to wastewater facilities constructed, in part, with grant funds, 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.

4.01.060 Relief on Own Motion

The Board may, on its own motion, find that by reason of special circumstances any provision of this Code should be suspended or modified as to a particular premise, but only to the extent compatible with State and Federal laws, rules and regulations pertaining to wastewater facilities constructed, in part, with grant funds, and may by resolution, order such suspension or modification for such premise during the period of such special circumstances or any part thereof.

building will receive credit for the capacity, as measured by Equivalent Dwelling Unit, that have been previously purchased for or allocated to that building.

5.02.050 Demolition Credits

Upon request for demolition permit, applicant must make an election regarding the treatment of the credit for the capacity from the to-be-demolished structure or structures. Once the permit is issued, the election is irrevocable. The applicant shall elect one of the following methods of treatment:

Method 1 – Capacity charge credits would be valid for a period of two years from the date the demolition permit is issued by the District, and would remain with the parcel from which they were established. The property owner must obtain a City or County building permit within the two-year time frame in order to utilize the capacity charge credits. If a building permit is not obtained within two years, the capacity charge credit will expire. During the period between issuance of the demolition permit and issuance of a building permit, no sewer service charges would be assessed.

Method 2 – Capacity charge credits would not expire provided the applicant agrees to remain subject to sewer service charges after issuance of the demolition permit, acknowledging that the District would be assessing sewer service charges to the parcel during periods of no sewer flow from the parcel.

The value of the capacity allocation credits shall be based on the capacity, as measured by Equivalent Dwelling Unit, that have been previously purchased for or allocated to that building.

5.02.060 Change in Fees

On July 1, 2014, and each July 1 thereafter, the sewer connection fees established herein shall each escalate annually by the February year-over-year change in the Engineering News Record Construction Cost Index for the San Francisco Bay Area, rounded to the nearest whole dollar. Until December 31, 2016, projects that have been “deemed complete” shall be subject to the capacity charge in effect on the date that the project was “deemed complete.” A project is “deemed complete” when the District has approved the project’s construction improvement plans showing the sewer plan, profile and other details for the project. The Board of Directors may also from time to time at its discretion, revise, alter or amend any of the sewer connection fees herein set forth by adoption of the appropriate resolution.

All fees collected under Section 5.02.030 for the issuance of permits shall be deposited in the County Treasury of the County of Napa to the credit of the District in a fund designated “Expansion Fund.” Such fund shall be expended from time to time for the purposes of: 1) the acquisition and construction of main trunk, interceptor and outfall sewers; 2) correction of infiltration/inflow, which consists of the rehabilitation of existing local street sewers, laterals, main trunks, interceptor and outfall sewers; 3) expansion of the District's sewage treatment facilities. However, such fund shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers.