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May 24, 2021

Board of Directors
Triunfo Water & Sanitation District
Ventura County, California

**REVISIONS TO ORDINANCE NOS. TWSD-202, TWSD-250, AND TWSD-350
PRETREATMENT PROGRAM AND FEES AND CHARGES FOR SEWER SERVICE
AND POTABLE WATER SERVICE**

Summary

The Triunfo Water & Sanitation District (District) Board adopted Ordinance Nos. Ordinance Nos. TWSD-202 (Adopted 12/16/19), TWSD-250 (Adopted 5/18/20), and TWSD-350 (Adopted 11/23/20), establishing a pretreatment program and prescribing fees and charges for sewer service and potable water services, respectively. These Ordinances stipulate the District's pretreatment policies, procedures, charges, and fees for services, including the connection fee, permitting fees, and penalties for violations. A review by staff identified several areas that were in need of updates due to changed inspection and regulatory requirements. The following are the included revisions to each of the Ordinances:

TWSD-202 – Pretreatment Program

- Clarifies and changes the policies and procedures for the FOG and Industrial Waste permits
- Revises the process for applying the fees and penalties associated with inspections, non-responsiveness, and violations
- Amends the waste streams prohibited from the sanitary system
- Revises grease interceptor conditions

TWSD-250 Sewer Service Fees

- Revises the fees and penalties charged for the FOG and Industrial Waste permit inspections, non-responsiveness, and violations
- Increases the sewer connection fee by 0.6% for the Joint Venture Area and Bell Canyon Original Assessment Area

TWSD-350 Potable Water Fees

- Adds a fee for fire flow testing by District staff for residential construction projects
- Increases the water connection fee by 0.6% for each of the meter classes

Ordinances TWSD-250 and TWSD-350 have provisions for an automatic annual adjustment of their respective connection fees. The adjustment is based on the March-to-March percentage change in the Construction Cost Index for the Los Angeles area published in the McGraw-Hill construction weekly magazine titled "ENR", and rounded to the nearest twenty-five dollars (\$25). The Engineering News Record's Construction Index increased 0.6% over last year (2020-2021). The recommended CPI increase sets the connection fees at the amount enumerated in TWSD-250, Section 3 and TWSD-350, Section 3.D of the attached Ordinances.

Ordinance Nos. TWSD-250 and TWSD-350 further provide that the Board may refuse the CPI adjustment, or approve a lesser increase if desired. Proposition 218 does not apply to this automatic annual adjustment.

Staff recommends your Board review the proposed changes in policies, procedures, and fees and direct staff to schedule a public hearing to consider adoption of Ordinance Nos. TWSD-202, TWSD-250, and TWSD-350 at the June 28, 2021 Board meeting.

Please contact me at (805) 658-4621 or marknorris@triunfowsd.com if you have any questions.

Fiscal Impact

The additional revenue generated from the connection fee increase is not known at this time due to unknown planned connections. The revenue from the fees and charges for the pretreatment program will offset the impact of District staff time for administrative and field operations.

Recommendation

It is recommended the Board:

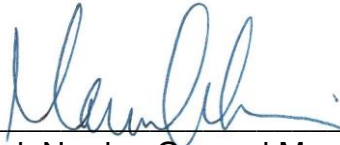
- A. Conduct the first reading, by title only, of proposed Ordinance Nos. TWSD-202, TWSD-250, and TWSD-350; and
- B. Schedule a public hearing and Board action on June 28, 2021 to conduct the second reading, by title only, and consider adoption of Ordinance Nos. TWSD-202, TWSD-250, and TWSD-350 (adopted 6/29/21); and
- C. Direct staff to publish on June 14 and June 21, 2021, a notice in the Ventura County Star, a newspaper of general circulation published and circulated in the District, providing a summary of these Ordinances and noticing a June 28, 2021, public hearing to consider adoption of these Ordinances; or
- D. Provide staff with direction.

“ORDINANCE NO. TWSD-202 (Adopted 6/28/21) PRETREATMENT PROGRAM FOR THE SEWER SYSTEM OWNED AND OPERATED BY TRIUNFO WATER & SANITATION DISTRICT”

“ORDINANCE NO. TWSD-250 (Adopted 6/28/21) PRESCRIBING FEES AND CHARGES FOR SEWER SERVICE OWNED AND OPERATED BY TRIUNFO WATER & SANITATION DISTRICT”

“ORDINANCE NO. TWSD-350 (Adopted 6/28/21) PRESCRIBING FEES AND CHARGES FOR POTABLE WATER PROVIDED BY TRIUNFO WATER & SANITATION DISTRICT”

REVIEWED AND APPROVED:



Mark Norris - General Manager

- Attachments:
1. TWSD Ordinance No. TWSD-202
 2. TWSD Ordinance No. TWSD-250
 3. TWSD Ordinance No. TWSD-350

TRIUNFO WATER & SANITATION DISTRICT

**ORDINANCE NO. TWSD-202 (Adopted 6/28/21)
PRETREATMENT PROGRAM FOR THE SEWER SYSTEM
OWNED AND OPERATED BY TRIUNFO WATER & SANITATION DISTRICT**

WHEREAS, the Triunfo Water & Sanitation District (“District”) is duly organized and established under California Health and Safety Code Section 4700 et seq., known and cited as the “County Sanitation District Act” (“Act”); and

WHEREAS, the District has previously established a pretreatment program to govern the discharge of wastewaters to sewage collection systems; and

WHEREAS, the Tapia Treatment Plant is owned and operated under a Joint Powers Authority between Las Virgenes Municipal Water District (LVMWD) and the District; and

WHEREAS, District staff has updated the pretreatment program incorporating changes to conform with limits adopted by the LVMWD for the Tapia Treatment Plant; and

WHEREAS, this Ordinance No. TWSD-202 (“Ordinance”) was available for public inspection and review ten (10) days prior to a public hearing and notice of the public hearing was given in compliance with applicable law; and

WHEREAS, after hearing a staff presentation, considering the testimony received at the public hearing and discussion of the issues, the Board of Directors concludes that the policies and procedures should be adopted in the best interest of the District and those customers served by the District; and

WHEREAS, this action to adopt this Ordinance is a project subject to review under the California Environmental Quality Act (“CEQA”) (Public Resource Code Section 21000 et seq.); and

WHEREAS, Section 15308 (Actions by Regulatory Agencies for Protection of the Environment) and Section 15321 (Enforcement Actions by Regulatory Agencies) of the State CEQA Guidelines (Chapter 3 of Division 6 of Title 14 of the California Code of Regulations) provide Categorical Exemptions from CEQA. Section 15308 exempts actions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Section 15321 categorically exempts actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of a law, general rule, standard, or objective, administered or adopted by the regulatory agency.

NOW, THEREFORE, the Board hereby ordains as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known as the TWSD Pretreatment Ordinance.

SECTION 2. DEFINITIONS

The following words as used in this Ordinance shall have the meanings set forth below unless otherwise apparent in the context in which they are used:

- a. "Board of Directors" or "Board" means the TWSD Board of Directors.
- b. "District" or "TWSD" means the Triunfo Water & Sanitation District.
- c. "Fats, Oils, and Grease" means Organic compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical testing procedures established in the United States Code of Federal Regulations 40 CFR 136, and may be amended from time to time. Fats, Oils, and Grease may be referred to herein as "Grease" or "Greases".
- d. "Food Service Establishment" means a business that prepares or serves food for consumption by the public. Some examples include but are not limited to restaurants, commercial kitchens, hotels, and schools. These establishments use one or more of the following preparation methods: frying, baking, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, poaching, infrared heating, searing, barbecuing, and any other food preparation activity that produces a hot food product in or on a receptacle that requires washing.
- e. "Grease Interceptor" means a plumbing fixture that is designed to separate and retain waterborne Fats, Oils, and Grease prior to the wastewater entering the sanitary sewer collection and treatment system. These fixtures are significantly larger than Grease Traps and are traditionally installed below grade in outside areas and are built as two or three chamber baffled tanks.
- f. "Grease Trap" means a plumbing fixture that is designed to separate and retain waterborne greases prior to the wastewater exiting the trap and entering the sanitary sewer collection and treatment system. Such traps are typically compact under-the-sink units that are near food preparation areas.
- g. "Industrial Waste" means waste substance, liquid or solid, except domestic sewage and including, but not limited to, radioactive wastes and explosives, noxious, toxic, or corrosive gases or liquids when present in the sewage system.
- h. "Sanitary Sewer" means a sewer to which storm, surface, and ground waters are not intentionally admitted.
- i. "User" means any person who contributes, causes, or permits the discharge of wastewater into sewers within the District boundaries, including persons who contribute wastewater from mobile sources.

SECTION 3. PRETREATMENT PROGRAM

The District maintains a Pretreatment Program to prevent the introduction of pollutants into its sanitary sewer facilities that will interfere with the operation of its collection, treatment and

disposal facilities. All users connected to the District's sanitary sewer will be subject to the conditions of this program.

A. General

No connections shall be made to the sanitary sewer which will admit wastes that do not comply with the discharge and waste requirements of this Ordinance. No person shall knowingly discharge into the sanitary sewer any solids or fluids which will create nuisances, are a menace to public health, or are detrimental to the functioning of the District's collection, treatment and disposal facilities. The District shall be consulted prior to the discharge or deposit of wastes other than those of a sanitary nature derived from the ordinary living processes, or of such character so as to permit satisfactory disposal without special treatment.

B. Prohibited Discharges and Wastes

The following discharges and wastes are prohibited from introduction into the District's sanitary sewer:

1. Brines, including brines produced in the regeneration of water softeners, shall not be discharged into the sewers without a permit from the District.
2. Cooling water shall not be discharged into the sewers.
3. Rainwater, stormwater, groundwater, street drainage, subsurface drainage, yard drainage, and evaporative type air cooler discharge water shall not be discharged into the sewers.
4. Waste from commercial food garbage disposals or food digesters.

C. Discharges Requiring Permits

The following discharges and wastes are prohibited from introduction into the District's sanitary sewer unless the discharger first obtains an Industrial Waste Permit from the District:

1. Cesspool or septic tank pump trucks discharging into District facilities are subject to the limitations contained in such permit. The contents of cesspools or septic tanks located outside the boundaries of the District shall not be accepted for discharge into District facilities.
2. A person discharging, or proposing to discharge industrial wastes to the sanitary sewer shall first obtain a permit from the District.

D. Industrial Waste Limitations

A permit is required to discharge industrial wastes into the District's sanitary sewer system. The following general limitations shall apply to industrial wastes discharged to the District's sewers:

1. Material which will settle out in the sewers, such as sand or metal filings, shall not be discharged to the sewers. Waste waters containing such materials must be passed through sand traps or other suitable structures, properly designed and maintained by the permittee, before discharge to the sewer.

2. Oils and greases shall not be discharged to the sewer system in concentrations greater than 100 mg/L.
3. Unreasonable or unnecessarily large amounts of suspended solids shall not be discharged into the sewer.
4. Pollutants, including oxygen demanding pollutants (BOD etc.) shall not be discharged into the sewer at flow rates or concentrations that will cause interference with the Water Reclamation Facility or enhance the formation of excessive sulfides in the collection system.
5. Wastes of strong odors, such as mercaptans, shall not be discharged into the sewer.
6. Dissolved sulfides in wastes discharged into the sewer shall not exceed a concentration of 0.1 m/L.
7. Acids shall not be discharged into the sewer unless neutralized to a pH value of 6 or above (maximum of 12.5). Highly alkaline wastes will usually be accepted, except where they may cause incrustation of sewers. Nitric acid will require District approval.
8. Pollutants which result in the presence of toxic gases, vapors or fumes in quantities that could endanger worker health and safety in the collection system or Water Reclamation system shall not be discharged.
9. Contaminated cooling water blow down, or bleed, from cooling towers or other evaporative coolers shall not be discharged to the sewer.
10. When cooling is done by using only heat exchange, without utilizing evaporative cooling, the waste water shall not be discharged to the sewer.
11. Industries shall segregate sewage and industrial wastes from roof and yard run-off. Roof and yard run-off shall not be discharged to the sewer.
12. The temperatures of discharges shall not exceed 140 degrees Fahrenheit (60 degrees Celsius). Where the quantity of discharge represents a significant portion of the flow in a particular sewer, it may be necessary to lower the temperature further.
13. Chemical solutions containing nitric acid or salts thereof in concentrations above 5% by weight, and volumes in excess of 300 gallons shall not be discharged into the sewer.
14. Wastes containing boron, fluorides, chlorides and sodium or potassium or other dissolved solids which will cause the effluent of the District's treatment facilities to exceed the requirements of the Regional Water Quality Control Board (RWQCB) shall not be discharged into the District's sewers.
15. Pollutants that could create a fire or explosion hazard in the sewers or treatment facility shall not be discharged into the sewers. This includes, but is not limited to, discharges with a closed cup flash point of less than 140 degrees Fahrenheit (60 degrees Celsius) using test methods specified in 40 CFR261.21.

E. Local Limits

The following instantaneous maximum allowable discharge limits will apply to wastewater discharged into the sewer system:

Constituent	Limit (mg/L)
Arsenic (As)	0.05
Beryllium (Be)	0.005
Boron (B)	1.5
Cadmium (Cd)	0.02
Chloride (Cl-)	175
Chromium (Cr)	0.07
Copper (Cu)	0.30
Cyanide (Cn)	0.02
Fluoride (F)	1.2
Lead (Pb)	0.20
Mercury (Hg)	0.002
Nickel (Ni)	0.50
Oil and grease	100
Selenium (Se)	0.02
Silver (Ag)	0.08
Sulfate (SO4)	325
Sulfide (H2S)	0.1
Total Dissolved Solids	1000
Zinc (Zn)	0.50
Temperature	140 deg. F

The discharge concentration of any pollutant not specifically listed shall not exceed the Maximum Contaminant Level (MCL) for the pollutant as established by the State Water Resources Control Board for drinking water.

F. National Categorical Pretreatment Standards

Upon promulgation of the Categorical Pre-treatment Standards for a particular industry sub-category, the Federal Standard, if more stringent than the limitations imposed under this Ordinance for sources in that sub-category, shall immediately supersede the limitations imposed under this Ordinance. The District shall notify all effected Users of the applicable requirements under the General Pretreatment Regulations.

G. Pretreatment Compliance Schedule

If additional pretreatment and/or operation and maintenance will be required to meet the Pretreatment Standards, the shortest schedule by which the user will provide such additional pretreatment shall be utilized. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. The following conditions shall apply to the schedule:

1. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and

operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards e.g., hiring an engineer, completing preliminary plans, completing final plans, executing contract for major components, commencing construction, completing construction, and so forth.

2. No increment referred to in Paragraph 1 shall exceed nine (9) months.
3. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the District including, as a minimum, whether or not it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with this increment of progress, the reason for the delay, and the steps being taken by the user to return the construction to the schedule established. In no event shall more than nine (9) months elapse between such progress reports to the District.

H. Reporting Requirements for Permittee

1. Compliance, Date of Report

Within ninety (90) days following the date for final compliance with applicable Pretreatment Standards or, in the case of a new source, following commencement of the introduction of waste water into the sanitary sewer, any user subject to Pretreatment Standards and Requirements shall submit to the District a report indicating the nature and concentration of all pollutants in the discharge from the regulated process which are limited by Pretreatment Standards and Requirements and the average and minimum daily flow for those process units in the user facility which are limited by such Pretreatment Standards or Requirements. The report shall state whether the applicable Pretreatment Standards or Requirements are being met on a consistent basis and, if not, what additional operation and maintenance and/or pretreatment is necessary to bring the user into compliance with the applicable Pretreatment Standards or Requirements. This statement shall be signed by an authorized representative of the user, and certified to by a qualified professional.

2. Periodic Compliance Reports

- a. Any user subject to a Pretreatment Standard, after the compliance date of such Pretreatment Standard, or, in the case of a new source, after commencement of the discharge into the sanitary sewer, shall submit to the District during the month of June and December, unless required more frequently in the Pretreatment Standard or by the District, the report indicating the nature and concentration of pollutants in the effluent which are limited by such Pretreatment Standards. In addition, this report shall include a report of all daily flows which during the reported period exceeded the average daily flow reported in the paragraph above. At the discretion of the District and in consideration of such factors as local high or low flow rates, holidays, budget cycles and so forth, the District may agree to alter the monitoring which the above reports are to be submitted.
- b. The District may impose mass limitations on users which are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases where the imposition of mass limitations is appropriate. In such cases, the report required by subparagraph (a) of this paragraph shall indicate the mass of

pollutants regulated by Pretreatment Standards in the effluent by the users. These reports shall contain the results of sampling and analysis of the discharge, including the flow and nature and concentration, or production and, where requested by the District, mass of pollutants contained therein which are limited by the applicable Pretreatment Standards. The frequency of monitoring shall be prescribed in the applicable Pretreatment Standards. All analysis shall be performed in accordance with the procedures established by the RWQCB pursuant to Section 304(g) of the Clean Water Act and contained in 40 CFR, Part 136 amendments thereto or with any other test procedures approved by the RWQCB. Samplings shall be performed in accordance with the techniques approved by the RWQCB.

I. Public Notification of Violations

The District shall annually publish, in a daily newspaper of general circulation within the jurisdiction, a list of users which are not in compliance with any Pretreatment Standards or Requirements at least once during the twelve (12) previous months. The notification shall also summarize any enforcement action taken against the user during the same twelve (12) months.

J. State Requirements

State requirements and limitations on discharges apply in any case where they are more stringent than this Ordinance provided such requirements are adopted as set forth herein.

K. More Stringent Limitations

The District may establish more stringent limitations or requirements on discharges to the waste water disposal system if necessary to comply with the objectives as set forth in this Ordinance.

SECTION 4. FATS, OIL AND GREASE CONTROL PROGRAM

The District maintains a Fats, Oils, and Grease (FOG) Control Program to aid in the prevention of sanitary sewer blockages and overflows from food service establishments. All food service establishments connected to the District's sanitary sewer will be subject to the conditions of this program.

A. Food Service Establishment Requirements

All permitted food service establishments discharging wastewater to the District's sanitary sewer collection system are subject to the following requirements:

1. **Permit:** All food service establishments that discharge fats, oils, and greases into the sanitary sewer system must apply and obtain a FOG permit from the District. The fee shall be per the District's fee ordinance or resolution.
2. **Grease Interceptor Requirements:** All permitted food service establishments are required to install, operate, and maintain an approved grease interceptor and must maintain compliance with the objectives of this Ordinance.
3. **Implementation:** New food service establishment facilities are subject to grease interceptor requirements. All facilities must obtain prior approval from the General

Manager (or designee) for grease interceptor sizing prior to submitting plans for a building permit. All grease interceptors shall be readily and easily accessible for cleanings and inspections. Existing food service establishments that the District determines to have a reasonable potential to adversely impact the sewer system will be notified of their obligation to install a grease interceptor within the specified period set forth in the notification letter.

4. **Variance from Grease Interceptor Requirements:** Grease interceptors required under this Ordinance shall be installed unless the District determines that the installation of a grease interceptor would not be feasible and authorizes the installation of an indoor grease trap or other alternative pretreatment technology. The food service establishment bears the burden of demonstrating that the installation of a grease interceptor is not feasible. The District may authorize the installation of an indoor grease trap where the installation of a grease interceptor is not feasible due to space constraints or other considerations. If an establishment believes the installation of a grease interceptor is not feasible due to space constraints, a request for an alternate grease removal device shall contain the following information:
 - a. Location of sewer main and easement in relation to available exterior space outside of the building.
 - b. Existing plumbing at or in a location that uses common plumbing for all services.

Alternative pretreatment technology includes, but is not limited to, devices that are used to trap, separate and hold grease from wastewater and prevent it from being discharged into the sanitary sewer collection system. All alternative pretreatment technology must be appropriately sized and approved by the Ventura County Public Works Director/ City Engineer.

5. **Compliance:** If a grease interceptor does not pass an inspection, the District inspector will notify the designated person that they have seven (7) days to correct any issues. After seven (7) days, the inspector will re-inspect and re-sample the grease management device. If the grease interceptor still does not meet the District's requirements, the facility must take immediate action to comply. Re-inspections will be assessed fees per the District's fee ordinance or resolution.
6. **Used Cooking Oil:** Used cooking oil shall not be disposed of down the drain and into the sanitary sewer system. Used cooking oil shall be collected and stored in containers and placed in a designated area where a recycling company can pick it up.
7. **Best Management Practices (BMPs):** All food service establishments shall implement BMPs into their operations to minimize the discharge of FOG into the District's sanitary sewer.

B. Wastewater Discharge Limitations

Wastewater discharge from grease interceptors, grease traps or alternative pretreatment technology shall not exceed 100 milligrams per liter for oil and grease, as defined by EPA Test Method 1664.

C. Grease Interceptor Requirements

1. Grease interceptor sizing and installation shall conform to the current edition of the California Plumbing Code.
2. Grease interceptors shall be constructed in accordance with the design that has been approved by the District.
3. Grease interceptors shall be installed at a location where it shall be easily accessible for inspection, cleaning, and removal of intercepted grease. The grease interceptor may not be installed in any part of the building where food is handled. The location of the grease interceptor must meet the approval of General Manager (or designee).
4. Grease interceptors shall be completely cleaned out by a professional when the total accumulation of FOG and solids reaches 25% of the hydraulic depth. Grease interceptors should be cleaned out a minimum of every three (3) months. However, some food service establishments may require it more frequently. These devices should also be visually inspected at least once a month. Grease interceptors shall be kept free of solid materials such as grit, rocks, gravel, sand, eating utensils, cigarettes, shells, towels, rags, etc., which could settle into pockets and reducing the effective volume of the device.
5. The food service establishments shall maintain a written record of inspections and maintenance history for two (2) years. All such records will be made available for on-site inspections by District representatives during operating hours.
6. Sanitary wastes and commercial dishwasher discharges are not permitted to connect to lines that lead into the grease interceptor.
7. Access maintenance holes, with a minimum diameter of 24 inches, shall be provided over each grease interceptor chamber and sanitary tee. The access maintenance holes shall extend to finished grade at a minimum and be designed and maintained to prevent water inflow or infiltration. The maintenance holes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities.
8. Additives that go in or pass through the grease interceptor are strictly prohibited. This includes products that contain solvents, emulsifiers, surfactants, caustics, acids, enzymes, or bacteria.

D. Grease Trap Requirements

1. Upon approval by the District, a grease interceptor complying with the provisions of this section must be installed in the waste line leading from sinks, drains, and other fixtures or equipment in where grease may be introduced into the drainage or sewage system in quantities that can effect line stoppage or hinder sewage treatment or private sewage disposal.
2. Grease traps sizing and installation shall conform to the California Plumbing Code.

3. No grease trap shall be installed which has a stated rate flow of more than fifty-five (55) gallons per minute, nor less than twenty (20) gallons per minute, unless previously approved by the District.
4. Grease traps shall be maintained in efficient operating conditions by periodic removal of the accumulated grease. No such collected grease shall be introduced into any drainage piping or public or private sewer.
5. No food waste disposal unit or dishwasher shall be connected to or discharge into any grease trap.
6. Wastewater in excess of one hundred-forty degrees (140°F/60°C) shall not be discharged into a grease interceptor or grease trap.
7. The FOG inside of a grease trap must not exceed 25% of the hydraulic depth capacity.

SECTION 5. PRETREATMENT FACILITIES AND OPERATION

A wastewater pretreatment device or system may be required by the District to pretreat industrial wastewater flows prior to discharge to the District's sewerage system. Pretreatment may be necessary to restrict or prevent the discharge of certain waste constituents, to distribute more equally over a longer time period any peak discharges of industrial wastewaters, or to accomplish any pretreatment results required by these rules and regulations. Where pretreatment or flow equalization prior to discharge into the District's sewerage system is required, plans, specifications and other pertinent data or information relating to such pretreatment or flow control shall first be submitted to the District for approval. Such approval shall not exempt the discharger of said facilities from compliance with any applicable rule or ordinance of any other governmental authority. Any alterations or additions to such pretreatment facilities shall not be made without due notice to the District for prior review and approval.

Pretreatment facilities as required by the District, shall be maintained in good working order and operated as efficiently as possible at the expense of the discharger, and are subject to the requirement of these rules and regulations and all other applicable codes and laws.

All Federal pretreatment standards applicable to local industry which specify quantities or concentrations of pollutants that may be discharged by a specific industrial subcategory will be enforced by the District as required in the Federal Clean Water Act. All domestic wastewaters including, but not limited to, those from restrooms, showers and drinking fountains shall be kept separate from industrial wastewaters until the industrial wastewaters have passed through any required pretreatment and/or monitoring device or system.

Compliance by existing industrial users with categorical pretreatment standards shall be within three (3) years of the date the standard is promulgated unless a shorter time is specified by the EPA.

SECTION 6. DENTAL RULE

The EPA promulgated pretreatment standards in 2017 to reduce discharges of mercury from dental offices into POTWs. The Dental Office regulation is codified in 40 CFR Part 441 (Dental Rule) and is incorporated herein by reference.

Dental offices discharge mercury that is present in amalgam used for fillings. This discharge is the primary source of mercury into the sewer system. The Dental Rule requires dental offices to use amalgam separators to capture mercury and other metals before they are discharged into the sewer system. Once captured by the separator, the dental amalgam can be recycled.

Pursuant to the Dental Rule, all dental offices located within the District's service area (those that remove amalgam as well as those that do not remove amalgam), shall submit a one-time compliance report to the District.

SECTION 7. PERMIT APPLICATION

The user seeking an industrial wastewater discharge permit or FOG permit shall complete an application form provided by the District. The applicant shall supply the following information:

- 1) Name and address of applicant and Standard Industrial Classification (SIC) number of the operations to be carried out by user.
- 2) The location of the discharge.
- 3) Time and duration of discharge.
- 4) Estimated average and peak flow rates including any expected daily, monthly and seasonal variations.
- 5) Major constituents and characteristics including but not limited to those regulated by these rules and regulations and the applicable categorical standards as determined by a certified analytical laboratory.
- 6) Site plans, floor plans, plumbing plans and details to show all public sewers and appurtenances by size, location and elevation.
- 7) Description of toxic or hazardous materials stored/or used on the premises which are or could be discharged to the District's sewerage system.
- 8) Each product by type and production process.
- 9) Identification of applicable regulating pretreatment standards.
- 10) Number of employees and normal hours of operation of the facility.
- 11) Any other information which may be deemed necessary by the District Manager to evaluate the permit application.

SECTION 8. INDUSTRIAL WASTE AND FOG PERMIT FEES

An annual fee shall be paid to the District for the issuance of an Industrial Waste Permit or a FOG Permit per District Ordinance TWSD-250. All persons requiring an Industrial Waste or FOG permit shall pay to the District an annual permit fee per the District's fee ordinance or resolution. The General Manager or designated representative shall be empowered to set forth in the Industrial

Waste or FOG Permit, any additional testing, sampling, analysis, flow measures, or other activities as determined at the discretion of the District. Should the District or its agents perform required wastewater sampling, analysis, review, flow measurements or other activities for a discharger in excess of the conditions presented at the time of permit issuance or if such activity is necessary to ensure compliance with the conditions of the permit, said discharger shall be held responsible for all accrued costs.

Fines for violations of the Industrial Waste and FOG Permits, supplemental fees, non-response fees and re-inspection fees will be per Ordinance TWSD-250.

SECTION 9. INSPECTION AND SAMPLING

The District will ensure compliance with the provisions of these rules and regulations, through a program of inspection and sampling, the user's industrial wastewater discharge permit and all applicable Federal and State laws and regulations. The program shall include, but is not limited to, the review of self-monitoring reports, inspections, sampling, flow verification and the retention of all necessary records.

The District shall inspect the facilities of any person to ascertain whether the purpose of these rules and regulations is being met and all prohibitions, limitations and requirements are being complied with. Upon presentation of proper identification, persons or occupants of premises where waste or wastewater is created or discharged will allow inspectors ready access, at all reasonable times, to all parts of the premises for the purposes of inspection, sampling, records examination, evidence gathering or any other activity required in the performance of any of their other duties. In addition, the District may enter the property at any hour under emergency circumstances involving the District's sewerage system. The District, shall have the right to set up on the user's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations.

During the inspection and compliance-monitoring activities, the inspector shall observe all reasonable security, safety and sanitation measures. In addition, the inspector shall observe precautionary measures specified by the user. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the District will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. No persons shall interfere with, delay, resist, or refuse entrance to an authorized inspector attempting to inspect any raw material, waste or wastewater generation, conveyance, treatment or storage facility.

When obtaining samples, the inspector may allow the user to collect replicate samples for separate analysis. A report listing any deficiencies and/or violations found during the inspection may be prepared by the inspector and shall be kept on file at the District office. A copy of the report shall be provided to user. If corrections are needed, the user shall provide to the District an approved compliance schedule.

SECTION 10. PERMIT VIOLATIONS

When the District determines that a specific condition and/or discharge is in violation of any provision of these rules and regulations or in violation of any permit condition or limitation imposed, the industrial user shall be issued a Notice of Violation. The discharger shall submit the following to the District:

- 1) An explanation as to the cause of the violation.
- 2) A compliance schedule which outlines the methods undertaken to remedy the violation and to assure a repetition of the violation does not occur.

Violation of the Industrial Waste and FOG Permits will be assessed fines per Ordinance TWSD-250.

SECTION 11. SUSPENSION OF PERMIT

The District may suspend a permit if the suspension is necessary to terminate a discharge which is in violation of any provision of these rules and regulations provided that a Notice of Violation has been served on the user and the time designated therein to correct the violation has transpired. The District Manager may suspend a permit, upon informal notice only, if suspension is necessary to terminate a discharge which presents an imminent hazard to the local environment and/or public health, to the District's sewerage system or to District personnel or the termination of which is reasonably required to preserve the public health, safety or welfare.

Any person notified of the suspension of the industrial wastewater discharge permit shall immediately stop or eliminate the discharge of the specified wastewater or other material into the District's sewerage system. In the event of a failure of the person to comply voluntarily with the suspension order, the District shall take such steps as deemed necessary, including, but not limited to, immediate severance of the sewer connection, to prevent or minimize damage to the District's sewerage system or endangerment of any individuals.

The District shall reinstate a permit suspended hereunder upon proof of the user's compliance with the Notice of Violation and with the requirements of these rules and regulations. A detailed written statement submitted by the user describing the causes of the harmful contribution and the measures taken to prevent any future occurrence shall be submitted to the District within fifteen (15) days of the date of occurrence.

SECTION 12. SEVERABILITY

This Ordinance, except for those portions that are found to be invalid, would remain in full force and effect and continue to be valid. The Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

SECTION 13. REPEAL OF PRIOR INCONSISTENT ORDINANCES

Any prior ordinances or portions of ordinances previously adopted by the District Board of Directors that are in conflict with this Ordinance, are repealed as of the Effective Date of this Ordinance. This includes the Rules & Regulations of the Triunfo County Sanitation District for the Sewage Collection System (adopted 4/24/89), Resolution No. T95-1 - Revising Rules & Regulations for Sewage Discharge to the Triunfo Sanitation District Collection System (adopted 6/26/95) and TWSD-202 (adopted 12/16/19)

SECTION 14. EFFECTIVE DATE

This Ordinance shall become effective July 1, 2021.

PASSED, APPROVED AND ADOPTED this 28th day of June 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRIUNFO WATER & SANITATION DISTRICT

Raymond Tjulander, Chair

ATTESTED:

Juliet Rodriguez, Clerk of the Board

APPROVED AS TO FORM:

John Mathews, General Counsel

TRIUNFO WATER & SANITATION DISTRICT

**ORDINANCE NO. TWSD-250 (Adopted 6/28/21)
PRESCRIBING FEES AND CHARGES FOR SEWER SERVICE
OWNED AND OPERATED BY TRIUNFO WATER & SANITATION DISTRICT**

WHEREAS, the Triunfo Water & Sanitation District (“District”) is duly organized and established under the laws of the State of California, and as such is empowered to impose fees and charges relative to the District’s provision of services to its service area; and

WHEREAS, the District provides wastewater service to its customers within the District’s service area and charges these customers appropriate service fees designed to cover capital and operating and maintenance expenses associated with the provision of the services; and

WHEREAS, the District has estimated the costs of providing wastewater service to its customers based on financial information for the current year and the entire operating history of the enterprise; and

WHEREAS, this Ordinance No. TWSD-250 (“Ordinance”) prescribes fees and charges pertaining to the provision of wastewater service to the District’s customers within the service area; and

WHEREAS, the District has complied with all applicable requirements set forth in Article XIII D of the California Constitution (enacted by Proposition 218, November 5, 1996 Statewide election); and

WHEREAS, on June 14 and June 21, 2021, notices were published in the Ventura County Star, a newspaper of general circulation published and circulated in the District, providing a summary of this Ordinance and noticing a June 28, 2021, public hearing to consider adoption of this Ordinance; and

WHEREAS, all persons present at said hearing and interested in the matter were heard and given the opportunity to be heard on the enactment of the proposed fees and charges prescribed in this Ordinance; and

WHEREAS, after considering the financial information, hearing a staff presentation, considering the testimony received at the public hearing and discussion of the issues, the District’s Board of Directors concludes that the proposed fees and charges prescribed in this Ordinance are necessary for the District’s provision of services and do not exceed the cost of those services; and

WHEREAS, the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of regulations Section 15273(a).

NOW, THEREFORE, the Board hereby ordains as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known as the TWSD Sewer Service Fee and Charge Ordinance.

SECTION 2. DEFINITIONS

The following words as used in this Ordinance shall have the meanings set forth below unless otherwise apparent in the context in which they are used:

- a. "Apartment" means a suite or set of rooms outfitted with housekeeping facilities and intended for occupancy as a dwelling unit.
- b. "Board of Directors" or "Board" means the TWSD Board of Directors.
- c. "Commercial" means a site or building used for the exchange or buying and selling of material goods or services and shall also mean a hotel or motel.
- d. "District" or "TWSD" means the Triunfo Water & Sanitation District.
- e. "Equivalent Residential Unit" means a unit of measurement for the quantity and quality of sewage which is equivalent to domestic sewage originating in a single residential unit. One ERU is less than or equal to an average of 250 gallons per day per year of domestic sewage discharge. One ERU is also equal to 25 fixture units or less based on the number of fixture units as assigned to various plumbing fixtures in the Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials (IAPMO). Should a conflict arise between the flow and fixture unit definitions, the most restrictive definition shall apply.
- f. "Industrial" means any site, structure, building or works which is, or which is designed to be, used for the manufacture, processing, or distribution of materials, equipment, supplies, food or commodities of any description; or which is used or designed to be used as a sanitarium, hospital, penal institution, or charitable institution; together with all appurtenances thereto and the surrounding premises under the same ownership or control.
- g. "Institutional" means any educational institution supported by state or local taxes.
- h. "Mobile Dwelling Unit" means a dwelling unit intended to be moved from site to site on wheels that are part of the unit and having dimensions longer than forty (40) feet and wider than eight and one-half (8.5) feet.
- i. "Multiple Residential" means a sewer to serve more than one single family residence.
- j. "Sewer Connection Fee" means a fee to obtain permission to connect to the District sewer, to have flow capacity rights, and to use the trunk sewer, sewage treatment facilities and appurtenances, provided that the District's prevailing service charges have been paid.

SECTION 3. FEES AND CHARGES

The following fees and charges are hereby prescribed:

A. Monthly Service Charge

Category	Use	FY 2022 (per ERU per month)	FY 2023 (per ERU per month)	FY 2024 (per ERU per month)	FY 2025 (per ERU per month)
I	Single Residential, per each residential lot, or separate billing address, whichever is greater.	\$79.32	\$91.22	\$104.91	\$112.25
I	Multiple Residential, per each ERU or fraction thereof. ⁽¹⁾	\$79.32	\$91.22	\$104.91	\$112.25
I	Apartment, per each apartment unit where each apartment unit shall be charged 80 percent of one (1) ERU. ⁽¹⁾	\$63.44	\$72.96	\$83.90	\$89.78
I	Mobile Dwelling Unit, per each mobile dwelling unit where each mobile dwelling unit shall be charged 80 percent of one (1) ERU. ⁽¹⁾	\$63.44	\$72.96	\$83.90	\$89.78
I	Trailer, per each trailer where each trailer shall be charged 50 percent of one (1) ERU.	\$39.66	\$45.61	\$52.45	\$56.12
I	Commercial, hotels, and institutional, when computed per Method B (see following table) per ERU or fraction thereof.	\$79.32	\$91.22	\$104.91	\$112.25
II	Shopping centers, when computed per Method B (see following table), per ERU or fraction thereof.	\$140.86	\$161.99	\$186.29	\$199.33
III	Restaurants, markets and mortuaries, when computed per Method B (see following table), per ERU or fraction thereof.	\$182.48	\$209.85	\$241.33	\$258.22
IV	Special Cases, service charges shall be based on equivalent factors of flow, loading and cost of service (including an increment for costs of extraordinary service, if required) and implemented by a separate sewer use agreement between the user and District. Examples of Special Case service include, but are not limited to, the following: (1) Service not defined in one of the preceding categories which are unique or require extraordinary service; (2) Service outside District boundaries; (3) Service to areas requiring special maintenance; (4) Service to areas requiring pumping with a lift greater than 200 feet; or, (5) Service to dischargers of wastewater of unusual strengths; (6) Service to areas where the ERU method per following table results in an inequity.	Individual Case	Individual Case	Individual Case	Individual Case
V	Industrial Waste Charge Permits. Any industrial waste discharge permit may provide special discharge requirements and charges, as determined by the District including, but not limited to, charges for constituents of the sewage discharge, special metering arrangements, including irrigation usage by industrial dischargers, and charges for excess flows or peak seasonal discharges by industrial users.	Individual Case	Individual Case	Individual Case	Individual Case

(1) The number of ERUs for recreational and/or other miscellaneous facilities within a multiple residential complex shall be computed per Method A or Method B (see following table). No monthly service charge shall be charged for laundry room facilities within a multiple residential complex, open to use only by residents of the complex.

Method For Fee Computation

Method A - Based on water meter size

Each $\frac{3}{4}$ inch meter shall equal (1) ERU.
Each 1 inch meter shall equal two (2) ERU.
Each 1- $\frac{1}{4}$ inch or 1- $\frac{1}{2}$ inch meter shall equal four (4) ERU
Each 2 inch meter shall equal (7) ERU
Each 3 inch meter shall equal (15) ERU
Each 4 inch meter shall equal (30) ERU
Each 6 inch meter shall equal (60) ERU

Method B - Based on number of plumbing fixtures

Each twenty-five (25) plumbing fixture units as defined in the Uniform Plumbing Code shall be considered equal to one (1) ERU.

Method C – Based on flow and waste characteristics

Where flow and waste characteristics are of an unusual nature, the sewer connection and service fee shall be determined on the basis of strength of the five (5) day Biochemical Oxygen Demand (BOD), suspended solids, quantity of flow, and other factors of the waste discharge that affect the sewer collection, treatment and disposal systems. Determination of the strength of waste shall be conducted in accordance with the latest edition of "Standard Methods for the Examination of Water and Wastewater," as published by the American Public Health Association, except where wastes of unusual character make other procedures necessary.

Method D – Based on estimated fixture units

A developer may want to construct a shell of a building before determining the final fixture unit count. A developer may obtain a Will Serve letter based upon the District's estimate of the buildings fixture units or estimated flow. Once the building has been completed and all fixture units installed, the District shall then recalculate the sewer connection and service fee. If the fixture unit count is greater than the original estimate, additional connection fees will be assessed accordingly. If the original estimate for sewer connection fees is greater than the actual As-Built fixture unit count, a refund of excess connection fees will be made to the developer.

Method E – Based on estimated flow

Any commercial or industrial building which creates fifteen percent (15) or greater sewage discharge than the original sewer connection fee paid for may be subject to an increased sewer connection fee. For example, an office building may have paid connection fees for 10 ERUs when a Will Serve letter was first issued. At a rate of 250 gallons per day allowed per ERU, the building may be subject to an increased sewer connection fee if its wastewater discharge as determined either by direct metering of the discharge or if the water consumption records indicate that the building is discharging in excess of 10 ERU x 250 gpd x 365 days/year x 1.15 or 1.049 million gallons per year.

B. Sewer Fees

Item	Fee
Application Fee	<ol style="list-style-type: none"> 1. Projects that require only administrative review: \$0 2. All other projects: \$150
Project Completion Deposit	Projects that require a final audit or inspection: \$1,000
Sewer Plan Check Fee	<ol style="list-style-type: none"> 1. Plan check fee: \$100/sheet 2. Plans resubmitted after change orders: \$100/sheet 3. Subdivision Final Map or Parcel Map Sewer Improvement Plan: \$100/sheet
Sewer Construction Inspection Fee	<ol style="list-style-type: none"> 1. Inspection Fee: \$125/hour (\$350 minimum) 2. Overtime Inspection Fee: \$200/hour 3. Closed Circuit Television Inspection: \$300/hour (\$1,000 minimum)
Sewer Connection Fee (per ERU)	<ol style="list-style-type: none"> 1. Joint Venture Area: \$14,050 2. Bell Canyon Original Assessment Area: \$3,075
Bell Canyon Sewer Extension Fee	<ol style="list-style-type: none"> 1. Gravity Sewer Main: To Be Determined 2. Grinder Pump System: \$12,000
Sewer Availability Fee	\$300 (includes Application Fee)
Industrial Waste Permit Fee	<ol style="list-style-type: none"> 1. Annual Fee: \$1,000/year 2. Supplemental Fee for work beyond basic level of services: \$100/hour 3. Violations: \$300 (1st), \$500 (2nd), \$1000 (3rd or more) 4. Re-inspection/Compliance Fee: \$0 (1st), \$125/hour (\$350 min) [2nd or more]
FOG Permit Fee	<ol style="list-style-type: none"> 1. Annual Fee: \$600/year 2. Violations: \$0 (1st), \$300 (2nd), \$500 (3rd or more) plus possible disconnection 3. Non-Response Fee: <ul style="list-style-type: none"> • 1st - \$300 after 30 days • 2nd - \$500 after 60 days, plus notification to VCEHD • 3rd - \$1000 after 75 days, plus possible disconnection 4. Re-inspection/Compliance Fee: \$0 (1st), \$125/hour (\$350 min) [2nd or more]

Commencing on July 1, 1990 and continuing thereafter on each July 1, the sewer connection fee set forth above shall be adjusted by an increment based on the March to March average percentage change in the Construction Cost Index for the Los Angeles area published in the McGraw-Hill construction weekly magazine titled "ENR," and rounded to the nearest twenty-five dollars (\$25). However, the Board may at its sole option determine, by resolution adopted prior thereto, that such adjustment shall not be effective for the next succeeding years, or may

determine other amounts as appropriate based upon the capital expenditure needs of the District.

SECTION 4. FINDINGS

The TWSD Board of Directors finds the foregoing fees and charges are for the purpose of: (1) meeting operating expenses, including but not limited to the District's operations, maintenance and management contract; (2) purchasing or leasing supplies, equipment and materials; (3) meeting financial reserve needs and requirements; (4) obtaining funds for constructing and maintaining sewer facilities necessary to maintain service within existing service areas; (5) improvements and repairs; and (6) debt service and refunds.

The TWSD Board of Directors further finds that the foregoing fees and charges: (1) do not exceed the funds required to provide the service; (2) are not used for any purpose other than that for which they are imposed; (3) as imposed upon any parcel or person as an incident of property ownership, do not exceed the proportional cost of the service attributable to the parcel; and, (4) are imposed only for service that is actually used by, or immediately available to, the owner of the property in question.

SECTION 5. FEE REVIEW PERIOD

On or about January 1 of each year, the General Manager is hereby empowered and shall review the estimated cost of providing the services described and the impact of any pending or anticipated changes in the service level. The General Manager shall report these findings to the Board of Directors at a duly noticed public hearing and recommend any adjustment to the fees and charges or other action that may be required.

SECTION 6. SEVERABILITY

This Ordinance, except for those portions that are found to be invalid, would remain in full force and effect and continue to be valid. The Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

SECTION 7. REPEAL OF PRIOR INCONSISTENT ORDINANCES

Any prior ordinances or portions of ordinances previously adopted by the District Board of Directors that are in conflict with this Ordinance, are repealed as of the Effective Date of this Ordinance. This includes TWSD-250 (adopted 5/18/20).

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective July 1, 2021.

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PASSED, APPROVED AND ADOPTED this 28th day of June 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRIUNFO WATER & SANITATION DISTRICT

Raymond Tjulander, Chair

ATTESTED:

Juliet Rodriguez, Clerk of the Board

APPROVED AS TO FORM:

John Mathews, General Counsel

TRIUNFO WATER & SANITATION DISTRICT

**ORDINANCE NO. TWSD-350 (Adopted 6/28/21)
PRESCRIBING FEES AND CHARGES FOR POTABLE WATER
PROVIDED BY TRIUNFO WATER & SANITATION DISTRICT**

WHEREAS, the Triunfo Water & Sanitation District (“District”) is duly organized and established under the laws of the State of California and, as such, is empowered to impose fees and charges relative to the District’s provision of services to its service area; and

WHEREAS, the District provides retail potable water service to its customers and charges these customers appropriate service fees and charges designed to cover operating and maintenance expenses associated with the provision of the services; and

WHEREAS, the District has estimated the costs of providing retail potable water service to its customers based on financial information for the current year and the entire operating history of the enterprise; and

WHEREAS, this Ordinance No. TWSD-350 (“Ordinance”) prescribes fees and charges pertaining to the provision of retail potable water service to the District’s customers; and

WHEREAS, in accordance with the Proposition 218 Omnibus Implementation Act (Government Code Section 53750 through 53756) the District has adopted a schedule of potable water rates that authorizes automatic adjustments that pass-through increase in the wholesale cost of potable water, as calculated per hundred cubic feet of water (HCF); and

WHEREAS, in accordance with Government Code Section 53756(d), the District will provide written notice to all affected property owners prior to imposing the automatic adjustments set forth in this Ordinance that pass-through increases in wholesale cost of potable water charged by Calleguas, as calculated per hundred cubic feet of water (HCF). Said written notice shall be not less than thirty (30) days before the effective date of said adjustments; and,

WHEREAS, the District has complied with all applicable requirements set forth in Article XIII D of the California Constitution (enacted by Proposition 218, November 5, 1996 Statewide election); and

WHEREAS, on ,June 14 and June 21, 2021, notices were published in the Ventura County Star, a newspaper of general circulation published and circulated in the District, providing a summary of this Ordinance and noticing a June 28, 2021 public hearing to consider adoption of this Ordinance; and

WHEREAS, all persons present at said hearing and interested in the matter were heard and given the opportunity to be heard on the enactment of the proposed fees and charges prescribed in this Ordinance; and

WHEREAS, after considering the financial information, hearing a staff presentation, considering the testimony received at the public hearing and discussion of the issues, the Board of Directors concludes that the proposed fees and charges prescribed in this Ordinance are necessary for the District’s provision of services and do not exceed the cost of those services; and

WHEREAS, the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section

21080(b)(8) and California Code of regulations Section 15273(a).

NOW, THEREFORE, the Board hereby ordains as follows:

SECTION 1. SHORT TITLE

This Ordinance shall be known as the TWSD Potable Water Fee and Charge Ordinance.

SECTION 2. DEFINITIONS

The following words as used in this Ordinance shall have the meanings set forth below unless otherwise apparent in the context in which they are used:

- a. "Board of Directors" or "Board" means the TWSD Board of Directors.
- b. "Customer" means any person, association, corporation, governmental agency, firm, or company of record receiving water service from the District.
- c. "District" or "TWSD" means the Triunfo Water & Sanitation District.
- d. "Hundred Cubic Feet" or HCF" or "Unit of Water" means 100 cubic feet or 748 gallons of water.

SECTION 3. FEES AND CHARGES

The following fees and charges are hereby prescribed:

A. Monthly Service Charge

Meter Size	FY 2022	FY 2023	FY 2024	FY 2025
3/4"	\$33.43	\$35.44	\$36.86	\$38.34
1"	\$52.75	\$55.92	\$58.16	\$60.49
1-1/2"	\$100.41	\$106.44	\$110.70	\$115.13
2"	\$156.91	\$166.33	\$172.99	\$179.91
3"	\$335.79	\$355.94	\$370.18	\$384.99
4"	\$599.42	\$635.39	\$660.81	\$687.25
6"	\$1,324.41	\$1,403.88	\$1,460.04	\$1,518.45

B. Quantity Rate for Potable Water

Tier	Monthly Use	Rate FY 2022	Rate FY 2023	Rate FY 2024	Rate FY 2025
1	0-7 HCF	\$7.34	\$7.78	\$8.09	\$8.42
2	>7-28 HCF	\$8.30	\$8.80	\$9.15	\$9.52
3	>28 HCF	\$10.13	\$10.74	\$11.17	\$11.62

Any of the quantity rates specified above are, in accordance with applicable law, subject to adjustment by the District should Calleguas adopt further increases or decreases in its potable water wholesale rate.

C. Automatic Fire Sprinkler Monthly Service Charge

Meter Size	FY 2022	FY 2023	FY 2024	FY2025
3/4"	\$33.43	\$35.44	\$36.86	\$38.34

Water used through an automatic fire sprinkler system for purposes other than for extinguishing fires or a related purpose, shall be charged the Tier 3 metered water rate for all water used through such service connection.

D. Service Connection Fee

Meter Size	FY2022
3/4"	\$4,900
1"	\$8,175
1-1/2"	\$16,300
2"	\$26,050
3"	\$57,075
4"	\$102,700
6"	\$228,250

Commencing on July 1, 1990 and continuing thereafter on each July 1, the water connection fee set forth above shall be adjusted by an increment based on the March to March average percentage change in the Construction Cost Index for the Los Angeles area published in the McGraw-Hill construction weekly magazine titled "ENR," and rounded to the nearest twenty-five dollars (\$25). However, the Board may at its sole option determine, by resolution adopted prior thereto, that such adjustment shall not be effective for the next succeeding years, or may determine other amounts as appropriate based upon the capital expenditure needs of the District.

E. Processing, Planning and Inspection Fees

Item	Fee
Application Fee	1. Projects that require only administrative review: \$0 2. All other Projects: \$150
Project Completion Deposit	Projects that require a final audit or inspection: \$1000
Water Line Plan Check Fee	1. Plan check fee: \$100/sheet 2. Plans resubmitted after change orders: \$100/sheet 3. Subdivision Final Map or Parcel Map Sewer Improvement Plan: \$100/sheet
Water Line Construction Inspection Fee	1. Inspection Fee: \$125/hour (\$350 minimum) 2. Overtime Inspection Fee: \$200/hour
Fireflow Testing Fee	Project that require a fire flow test: \$125/hour (\$350 min)

F. Miscellaneous Fees

Item	Fee
Account Set Up Fee	\$15.00
Construction Connection (Per Month)	\$8.50
New Customer Deposit –3/4” Meter	\$75.00
New Customer Deposit - 1” Meter	\$80.00
New Customer Deposit – 1 ½” Meter	\$100.00
New Customer Deposit - 2” Meter	\$150.00
New Customer Deposit over 2” Meter	\$200.00
Shut off Notice/Shut off/Turn on/etc. - Regular Business Hours	\$30.00 each
Shut off Notice/Shut off/Turn on/etc. - After Hours/Weekends	\$325.00 each
Fire Service (Per Inch of Meter Diameter)	\$6.75
Security Deposit – Metered Hydrant Service	\$1,200.00
Security Deposit – Reinstatement after shut off for customers with history of delinquent payment and will escalate based on the amount of the billing (returned after one year if no late fees are applied during the entire period)	\$150.00
Unauthorized Turn on	\$ 75.00
Unauthorized Fire Hydrant Use	\$ 250.00

In addition, the District shall collect charges for work performed or for damages incurred (i.e., damaged meter box, meter box replacement covers, damaged fire hydrants, etc.). The charges shall be based on the costs incurred including an amount for overhead as set by the District.

SECTION 4. FINDINGS

The TWSD Board of Directors finds the foregoing fees and charges are for the purpose of: (1) meeting operating expenses, including but not limited to the District’s operations, maintenance and management contract; (2) purchasing or leasing supplies, equipment and materials; (3) meeting financial reserve needs and requirements; (4) obtaining funds for constructing and maintaining water facilities necessary to maintain service within existing service areas; (5) improvements and repairs; and (6) debt service and refunds.

The TWSD Board of Directors further finds that the foregoing fees and charges: (1) do not exceed the funds required to provide the service; (2) are not used for any purpose other than that for which they are imposed; (3) as imposed upon any parcel or person as an incident of property ownership, do not exceed the proportional cost of the service attributable to the parcel; and, (4) are imposed only for service that is actually used by, or immediately available to, the owner of the property in question.

SECTION 5. FEE REVIEW PERIOD

On or about January 1 of each year, the General Manager is hereby empowered and shall review the estimated cost of providing the services described and the impact of any pending or anticipated changes in the service level. The General Manager shall report these findings to the Board of Directors at a duly noticed public hearing and recommend any adjustment to the fees and charges or other action that may be required.

SECTION 6. SEVERABILITY

This Ordinance, except for those portions that are found to be invalid, would remain in full force and effect and continue to be valid. The Board of Directors hereby declares it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application thereof to any person or circumstance be held invalid.

SECTION 7. REPEAL OF PRIOR INCONSISTENT ORDINANCES

Any prior ordinances or portions of ordinances previously adopted by the District Board of Directors that are in conflict with this Ordinance, are repealed as of the Effective Date of this Ordinance. This includes TWSD-350 (Adopted 11/23/2020).

SECTION 8. EFFECTIVE DATE

This Ordinance shall become effective July 1, 2021.

PASSED, APPROVED AND ADOPTED this 28th day of June 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

TRIUNFO WATER & SANITATION DISTRICT

Raymond Tjulander, Chair

ATTESTED:

Juliet Rodriguez, Clerk of the Board

APPROVED AS TO FORM:

John Mathews, General Counsel

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