CHAPTER THREE: ENVIRONMENTAL PROTECTIONS

Subchapter 3.04: Regulation of Sewers and Restrictions on Discharge of Water and Waste

3.04.010 Purpose.

The Town of Colma has contractual arrangements with both the City of South San Francisco and the North San Mateo County Sanitation District for sewage disposal. This ordinance is intended to regulate and control the quantity and quality of sewage and industrial wastes and other substances as provided for herein; provide for source control of the quantity, quality and flow of sewage industrial waste, and other substances to maintain the respective treatment plants of South San Francisco and North San Mateo County Sanitation District at a level of operation which conforms with the standards and requirements of law; authorizes fees and charges; and provides for civil and criminal penalties for violation thereof.

To the extent that the laws and regulations of South San Francisco or the North San Mateo County Sanitation District may vary, it is further intended that this ordinance set forth where appropriate those provisions applicable only to the sewer facilities connected to the South San Francisco facilities and those provisions applicable only to sewer facilities connected to the North San Mateo County Sanitation District facilities.

[*History*: formerly § 3.300; ORD. 279, 11/10/82; ORD. 638, 12/14/05]

3.04.020 Disposal of Wastes.

It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner upon public or private property within the Town of Colma, or in any area under the jurisdiction of the Town of Colma, any human or animal excrement, garbage, or other objectionable waste.

[*History*: formerly § 3.302; ORD. 279, 11/10/82; ORD. 638, 12/14/05]

3.04.030 Treatment of Waste Required.

It shall be unlawful to discharge to any stream or watercourse any sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with provisions of this ordinance.

[*History*: formerly § 3.303; ORD. 279, 11/10/82; ORD. 638, 12/14/05]

3.04.040 Individual Sewage Disposal System.

(a) It shall be unlawful for any person to construct, enlarge, alter, repair, improve or replace a septic tank, cesspool, seepage pit, drainage field, leaching system or any type of individual sewage disposal system or any part thereof without first obtaining a permit under the provisions of Subchapter 6 relating to individual sewage disposal systems.

(b) It shall be unlawful for any person to maintain a septic tank, cesspool, seepage pit, drainage field, leaching system or any type of individual sewage disposal system or any part thereof on any property adjacent to or within 100 feet of a public sanitary sewer, except as provided in paragraphs (1) and (2) below:

(1) If the public sanitary sewer is installed after installation of the individual sewage disposal system, the individual sewage disposal system may be maintained for a period of two years after the public sanitary sewer is installed adjacent to or within 100 feet of the subject property or until July 1, 1989, whichever is later; or until such sooner time as the individual's sewage disposal system requires repair, improvement, alteration or replacement.

(2) Upon application to the City Council accompanied by a non-refundable fee of $100.00, a permit to maintain an individual sewage disposal system may be granted by resolution of the City Council for a period of no more than three years upon finding by the City Council that the property in question is at least three acres in size and that, under all circumstances, connection with the City's sewer system would be unreasonable. The permit may contain any condition that the City Council deems appropriate. Permits may be renewed for periods not to exceed three years upon application to the City Council for a new permit, accompanied by a non-refundable fee of $100.00.

[*History*: formerly § 3.304; ORD. 279, 11/10/82; ORD. 349, 05/13/87; ORD. 638, 12/14/05]

3.04.050 Regulation of Waste Water Discharges - South San Francisco System.

The restrictions with respect to any discharge into any sewer in Colma connected with the South San Francisco Water System are set forth in Subchapter Eight of Chapter Three of the Colma Municipal Code.

[*History*: formerly § 3.305; ORD. 279, 11/10/82; ORD. 389, 04/12/89; ORD. 638, 12/14/05]

3.04.060 Regulation of Wastewater Discharges--North San Mateo County Sanitation District System.

The restrictions with respect to any discharge into any sewer in Colma connected with the North San Mateo County Sanitation District System are set forth in Subchapter Nine of Chapter Three of the Colma Municipal Code.

[*History*: formerly § 3.306; ORD. 279, 11/10/82; ORD. 286, 5/11/88; ORD. 405, 12/13/89; ORD. 638, 12/14/05]

3.04.070 Special Provisions With Respect to Acceptance of Deleterious Wastes and Industrial Wastes.

The restrictions with respect to this section are set forth in Subchapter Nine of Chapter Three of the Colma Municipal Code.

[*History*: formerly § 3.307; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 405, 12/13/89; ORD. 638, 12/14/05]

3.04.080 Construction of Side Sewers and Connection With Main Sewers.

(a) *Permit Required.* It shall be unlawful to construct a side sewer, or make a connection with any main sewer, except as provided herein. Before commencement of construction of a side sewer, the owner shall obtain a permit from the Building Inspector and shall pay the fees in connection therewith.

(b) *Design and Construction Requirements.* Design and construction of side sewers shall be in accordance with the requirements of the approved sanitation agency owning the main sewer.

(c) *Separate Sewers.* No two buildings shall be permitted to join in the use of the same side sewer, except that one or more buildings located on property belonging to the same owner may be served with the same during the period of said ownership. Upon the subsequent subdivision and sale of a portion of said lot, the portion not directly connected to such main sewer shall be separately connected to such sewer.

(d) *Old Building Sewers.* Old building sewers may be connected with main sewers only when they are found, upon examination and test, to meet all requirements of the approved sanitation agency owning the main sewer.

(e) *Cleanouts.* Cleanouts in side sewers shall be provided in accordance with the Plumbing Code and the requirements of the approved sanitation agency owning the main sewer. All cleanouts shall be maintained watertight.

(f) *Low Sewers.* In all buildings in which any side sewer is too low to permit gravity flow to the main sewer, sanitary sewage carried by such side sewer shall be lifted by artificial means meeting the requirements of the approved sanitation agency owning the main sewer, and discharged to the main sewer at the expense of the owner.

(g) *Connection to Main Sewer.* The connection of any side sewer to the main sewer shall be at the applicant's expense and shall be made in accordance with the requirements of the approved sanitation agency owning such main sewer. No such connection shall be made until approved by the Building Inspector. Any damage to the main sewer shall be repaired in accordance with the requirements of the approved sanitation agency owning such main sewer at the cost of the applicant.

(h) *Maintenance.* Side sewers shall be maintained by the owner of the property served thereby. Where the side sewer provides service to single family residential units with common walls, condominium, stock cooperative, community apartment or other similar improvements, the obligation to maintain the side sewer shall be in the homeowners' association or other entity responsible for the maintenance of the property and facilities owned in common.

[*History*: formerly § 3.308; ORD. 279,11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.090 Construction and Extension of Public Sewers.

(a) *Permit.* No person shall construct or extend any public sewer or any sewer designed and intended to combine with any other public sewer as a main sewer, without obtaining a permit from the Building Inspector and paying the fee in connection therewith, and a permit from an approved sanitation agency and paying the fee in connection therewith. The provisions of this section shall not apply to contractors performing under a contract with the Town of Colma or an approved sanitation agency.

(b) *Design and Construction.* Design and construction of public sewers shall be in accordance with the requirements of the approved sanitation agency owning the main sewer to which the public sewer is to be connected.

[*History*: formerly § 3.309; ORD. 279,11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.100 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 Council, 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 Council 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; provided however that no such resolution shall be effective without the prior written approval of the District Manager of the District servicing or to service the premises.

[*History*: formerly § 3.310; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.110 Relief on Council's Own Motion.

The Council 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 premises and may, by resolution, order such suspension or modification for such premises during the period of such special circumstances, or any part thereof; provided however that no such resolution shall be effective without the prior written approval of the District Manager of the District servicing or to service the premises.

[*History*: formerly § 3.311; ORD. 279,11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.120 Powers and Authorities of Inspectors.

The Building Inspector shall carry evidence establishing his position as an authorized representative of the Town of Colma, and upon exhibiting the proper credentials and identification shall be permitted to enter, along with an agent of an approved sanitation agency, in and upon any and all buildings, industrial facilities and properties for the purposes of inspection, reinspection, observation, measurement, sampling, testing and otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the Town of Colma or an approved sanitation agency. All

owners shall be held strictly responsible for any and all acts of agents or employees done under this ordinance. Upon being notified by the Building Inspector of any defect arising therefrom in any sewer, or of any violation of this ordinance, the person or persons having charge of said work shall immediately correct the same.

[*History*: formerly 3.312; ORD. 279,11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.130 Fees for Connecting to City of South San Francisco Sewer System.

(a) Connection charges for single family units, multiple dwellings, commercial, industrial, public and other uses and for changes in use of existing properties, within or without the boundaries of Colma, must be paid to Colma by the owner, or by any other person obligated to pay such charge, who desires the connection of any such property to the sewerage works of the city of South San Francisco or to make any changes in existing connections thereto. No connection fee shall be charged for the re-routing of existing service connections from one sewer line to another.

(b) A sewer connection fee shall be paid by the user or parcel owner for connection to a public sanitary sewer at the time the building permit is issued, or if no building permit is necessary, prior to the time the connection is operational. When a change in use from residential to commercial or institutional occurs, the difference in connection charges shall be paid. Equivalent dwelling unit (EDU) is the amount and strength of sewage equivalent to that discharged by a single-family residence. By definition, a single-family residence is one EDU, and an apartment or duplex with two dwelling units would be two EDUs.

(c) Sewer connection fee shall be determined for each class of user in accordance with the following schedule, where

(1) the number of EDU = (0.00359 x Q) + (0.388 x BOD) + (0.463 x TSS),

(2) Q is the gallons per day of sewage to be discharge,

(3) BOD is the pounds per day of biochemical oxygen demand to be discharged, and

(4) TSS is the pounds per day of total suspended solids to be discharged:

Calendar Year	Connection Fee Rate (Dollars per EDU)
2005	$1,554
2006	$1,596
2007	$1,639
2008	$1,683
2009	$1,729
2010	$1,775

(d) The minimum connection fee shall be the connection fee for one EDU.

[*History*: formerly § 3.313; ORD. 279, 11/10/82; ORD. 340, 11/12/86; ORD. 416, 6/13/90; ORD. 515, 7/9/97; ORD. 534, 7/8/1998; ORD. 618, 6/16/04; ORD. 632, 7/13/2005; ORD. 638, 12/14/05]

3.04.140 Fees for Connecting to North San Mateo County Sanitation District Sewer System.

Connection charges for single family units, multiple dwellings, commercial, industrial, public and other uses and for changes in use of existing properties shall be paid to Colma by the owner, or by any other person obligated to pay such charge, who desires the connection of any such property to the sewerage works of the North San Mateo County Sanitation District or to make any changes in existing connections thereto. No connection fee shall be charged for the re-routing of existing service connections from one sewer line to another. Said connection fees are set forth below as follows:

(a) Single-Family Residential Dwellings

(1) Dwelling units in any one 12 month period by a builder/developer or any subsidiary, partner or joint venture with no more than 33 fixture units per residential unit:
$2,600 Minimum per D/U

(2) New Single Family Residence with Secondary Unit (up to an additional 33 fixture units for the single family and up to 11 fixture units for the secondary unit) $3.485 per both units

(3) Conversion of Single Family Residence to one with Secondary Unit (up to an additional 11 fixture units for conversion) $550 per second unit

plus, as to Item (1)(A) above, it there is in excess of 33 fixture units, and additional.....$63 per fixture unit;

plus, as to Item (1)(A) above, common facilities ..... $63 per fixture unit

(b) Multiple Residential Dwelling

(1) Up to and including 21 fixture units, $1,975 Minimum per D/U

(2) Plus, in excess of 21 fixture units, $63 per fixture unit

(3) Plus, common facilities, $63 per fixture unit

(c) Commercial, Industrial, Public and Other Uses: $63 per fixture unit, $3,150 Minimum

(d) Condominium Conversion: Difference between charges initially paid for connection as a multiple dwelling, as credited against charges for single dwellings in effect at time of conversion to condominium $63 Minimum per D/U

(e) Change of use Alteration or Addition to Existing Connection

(1) For change of use alteration or addition to connection, $63 Minimum

(2) Plus, for each fixture unit in excess of 33, $63 per fixture unit

(f) *Special Connection Charges.* In addition to the above fees, District may impose charges based on type of use, discharge, or impact on District facilities, to provide the equitable distribution of the cost of District's wastewater system.

(g) *Swimming Pools.* $63 per fixture unit, where:

(1) 2" Discharge Pipe = 4 fixture units

(2) 3" Discharge Pipe = 6 fixture unite

(3) 4" Discharge Pipe = 8 fixture units

[*History*: formerly § 3.313.1; ORD. 340, 11/12/86; ORD. 416, 6/13/90; ORD. 515, 7/9/97; ORD. 534, 7/8/98; ORD. 618, 6/16/04; ORD. 632, 7/13/2005; ORD. 638, 12/14/05]

3.04.150 Fees and Deposits, Miscellaneous.

(a) Industrial Waste Discharge Permit

Waste constituent and volume unit charge:

Dischargers who are required to obtain an Industrial Waste Discharge Permit will pay a sewage disposal charge based on waste strength and volume calculated as follows: (i) the unit charge for each waste constituent multiplied by the allowable limit for that constituent in the discharger's permit, plus (ii) the unit charge for volume multiplied by the volume based on the capital and operating costs of collection, treatment, and disposal. In addition to the sewage disposal charge, the discharger shall pay all applicable permit and monitoring charges.

(b) Annexation Fees

(1) Preliminary Application - $50.00

(2) Annexation Fee Deposit in a sum estimated to equal engineering, legal and publication costs, and all other costs which may be incurred in preparing and examining maps, legal descriptions and other documents in relation thereto, and other expenses regularly incurred in connection therewith. In addition, owner shall bear the expense of any filing fees or other fees required by the Local Agency Formation Commission or other state or local agency having jurisdiction over said annexation.

(3) Assessment Connection Charge

For any unit or lot, or part of said property which may be annexed that abuts on or can be directly served by any existing sewerage works of the District constructed or acquired pursuant to a special assessment proceeding, an additional connection charge equal to the amount which said property would have been assessed for said improvement shall also be collected and paid for the privilege of using said sewerage works. Said sum shall not include any amounts for which bonds of the District are then outstanding and to which said property is or shall become subject.

(4) Environmental Quality Act Fees

Owner or beneficially interested party shall deposit with the appropriate sanitation agency the estimated cost of District preparation of materials, reports and the making of evaluations of the proposed project as estimated by the District Manager.

[*History*: formerly § 3.314; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.160 Fees for Sewer Service Provided Through City of South San Francisco Sewer System.

(a) *Definitions.* As used in this section, the following terms shall have the respective meanings shown:

(1) "Charge" means the amount of the payment required for sewer service provided to a parcel or facility; the charge is determined by multiplying the rate times the number of units of service that are specified in this ordinance.

(2) "Institutional" class of users means schools, colleges, rest homes, hospitals, clubs, lodges and similar uses.

(3) "Light commercial" class of users means bars (without dining facilities), car washes, department and retail stores, hotels, motels (without dining facilities), laundromats, professional and business offices, banks, savings and loan associations, warehouses, auto rentals (without repair shops), newspapers, commercial printing shops, freight and drayage services, barbershops, shoe repair shops, camera shops, plating shops, wood and furniture fabricators, heating and appliance stores, drug stores, auto supply stores, general contractors' offices, public administration offices, health services, legal services, dry cleaners, metal fabricators, lumber companies, laundry services, sheet metal shops, and similar uses with wastewater strengths less than or approximately equivalent to residential strength.

(4) "Moderate commercial" class of users means auto/gas service stations, auto steam cleaners, auto rentals (with repair shops), bakeries, beauty and hair salons, commercial laundries, mortuaries, lodges (with dining facilities), radiator repair shops, markets (with garbage disposals), ice cream parlors, candy manufacturers, food preparation and caterers, sandwich shops, drive-in theaters, creameries, roofers, chemical preparations, machine shops, photo/film processors, rug, carpet, upholstery cleaners, foundries, ceramics studios, oil services, transmission services, sanitation services, furriers, drum and barrel cleaners, and similar classes of uses with wastewater strengths significantly greater than residential strength. A user in this class will be reclassified to the light commercial use classification if it adequately demonstrates to the city engineer it is discharging only segregated or wastewater equivalent in strength to residential wastewater.

(5) "Monitored and industrial" class of users means manufacturers, processors, producers, laundries, photo finishers, painting services, packagers and similar uses whose wastewater are monitored by the city.

(6) "Rate" means the cost per unit of sewer service.

(7) "Residential" class of users means the classification of discharger and the parcel of real property or portion thereof on which the discharger is situated, including single-family dwelling, multifamily dwelling (duplex, flat, apartment and similar types of uses), trailer courts and similar types of uses.

(8) "Septage Waste Haulers" means commercial businesses, which haul to and dispose of septage waste at the City of South San Francisco's Water Quality Control Plant.

(b) *Sewer Service Charges*. Sewer service charges shall be paid to Town of Colma for any connection to and use of the sewerage works of the City of South San Francisco in an amount determined as set forth in this section. The rates used to determine the charge each year shall be the maximum amounts established in this section, unless the City Council, by resolution, establishes sewer service rates for the upcoming fiscal year at a lesser amount than shown in this section.

(c) *Rates for all Properties.* From and after the effective date of this subsection and until this Subchapter is repealed or amended to provide otherwise, all users in each class connected to the sewerage works of the City of South San Francisco shall pay annual sewer service charges to the Town of Colma calculated in the manner set forth in paragraph (e) of this section, using the rates set forth in the schedule on file with the City Clerk.

(d) *Pass-through Rates for all Properties.* Until this Subchapter is repealed or amended to provide otherwise, all users in each class connected to the sewerage works of the City of South San Francisco shall pay annual sewer service charges to the Town of Colma calculated in the manner set forth in paragraph (e) of this section, using the rates hereafter adopted by the City of South San Francisco, provided, however, that the Town shall give written notice of any applicable rate increase to each property on whom the increased rate is to be imposed not less than thirty days prior to the effective date of such rate increase. In no event shall the rates for sewer service imposed by the Town of Colma pursuant to this section exceed the rates in effect for the prior fiscal year by more than 10%.

(e) *Calculation of Sewer Service Charges for all User Classes*.

(1) Sewer service charges imposed on users within the residential class are calculated by multiplying the number of dwelling units on the assessor's parcel by the annual rate per dwelling unit. The dwelling unit rate for single residential assumes an average annual effluent flow of 84 CCF. The multiple residential and trailer unit rate assumes an average annual effluent flow of 75 CCF.

(2) The annual rate set forth in the schedule on file with the City Clerk shall be applied to institutional, commercial and non-monitored industrial classes unless the volume charge exceeds the minimum charge, in which event the volume charge shall be applied. The minimum charge shall be applied to monitored industrial classes unless the volume charge or surcharge for suspended solids or surcharge for chemical oxygen demand, or any combination thereof, exceeds the minimum charge, in which event the applicable charge shall be computed by adding the volume charge, surcharge for suspended solids and surcharge for chemical oxygen demand.

(3) Sewer service charges imposed on users within the institutional, light commercial, and moderate commercial classes are calculated by: (a) measuring the annual water use at the parcel and multiplying this number by the flow rate shown in the schedule on file with the City Clerk or (b) measuring the annual sewer flow from the parcel and multiplying this number by the effluent rate shown in the schedule on file with the City Clerk for restaurant, institutional, or commercial users.

(4) Sewer service charges imposed on users within the industrial and monitored classes are calculated by measuring the annual amount of wastewater flow, chemical oxygen demand and solids discharged from the parcel and multiplying these numbers by the respective rates shown in the schedule on file with the City Clerk. Separate sewer rates are calculated for each component and then added for the total sewer service charge for the parcel.

(5) Sewer service charges imposed on septage waste haulers are calculated by multiplying the gallons of flow discharged by the septage waste hauler by the rate shown in the schedule on file with the City Clerk.

[*History*: formerly § 3.315; Ord. 279, 11/10/82; Ord. 286, 5/11/83; Ord. 416, 6/13/90; Ord. 515, 7/9/97; Ord. 534, 7/8/97; Ord. 558, 7/14/99; Ord. 582, 6/14/00; Ord. 589, 7/11/01; Ord. 604, 7/9/03; Ord. 618, 6/16/04, Ord. 632, 7/13/05; Ord. 638, 12/14/05; Ord. 678, 07/08/12; Ord. 690,06/09/10; Ord. 692, 7/14/10; Ord. 699, 7/13/11; Ord. 700, 9/14/11; Ord. 763, 7/13/16; Ord. 778, 4/11/18]

3.04.170 Fees for Sewer Service Provided Through NSMCSD Sewer System.

(a) *Definitions*. As used in this section, the following terms shall have the respective meanings shown:

(1) "Charge" means the amount of the payment required for sewer service provided to a parcel or facility; the charge is determined by multiplying the rate times the number of units of service that are specified in this ordinance.

(2) "NSMCSD" means the North San Mateo County Sanitation District.

(3) "Rate" means the cost per unit of sewer service.

(b) *Sewer Service Charges.* Sewer service charges shall be paid to Town of Colma for any connection to and use of the sewerage works of the North San Mateo County Sanitation District in an amount determined as set forth in this section. The rate used to determine the charge each year shall be the maximum amount established in this section, unless the City Council, by resolution, establishes sewer service rates for the upcoming fiscal year at a lesser amount than shown in this section.

(c) *Rates for all Properties for Fiscal Year 2016-2017, 2017-2018, 2018-2019.* From and after the effective date of this Ordinance, all users in each class, connected to the sewerage works of North San Mateo County Sanitation District shall pay annual sewer service charges to the Town of Colma at the rate set forth in Table 3.04.170 per hundred (100) cubic feet of water consumption, or HCF, calculated on the basis of two months' average winter water consumption

annualized, with a minimum annual sewer service charge per year as set forth in Table 3.04.170.

(d) *Pass-Through Rate Increases for all Properties For Fiscal Years 2019-2020 and 2020-2021.* The Town shall pass-through all sewer rate increases adopted by the North San Mateo County Sanitation District. For those years, all users in each class other than residential connected to the sewerage works of the North San Mateo County Sanitation District shall pay annual sewer service charges to the Town of Colma calculated in accordance with the rates imposed on the Town by the North San Mateo County Sanitation District for that fiscal year, provided, however, that the Town shall give written notice of any applicable rate increase to each property on whom the increased rate is to be imposed at least thirty days prior to the effective date of any such increase. In no event shall the rates charged by the Town of Colma for sewer service pursuant to this section exceed the rates in effect for the prior fiscal year by more than 10%.

Table 3.04.170: Sewer Service Rates for Sewer Service Provided By NSMSD by Fiscal Year (FY)

Effective Date	$/HCF Metered Water Usage	Minimum Annual Charge
July 1. 2016 (FY 2016-2017)	$6.76	$74.96
July 1, 2017 (FY 2017-2018)	$7.30	$80.96
July 1, 2018 (FY 2018-2019)	$7.88	$87.44

[*History*: formerly § 3.315.1; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 416, 6/13/90; ORD. 515, 7/9/97; ORD. 534, 7/8/97; ORD. 558, 7/14/99; ORD. 582, 6/14/00, ORD. 589, 7/11/01; ORD. 618, 6/16/04; ORD. 632, 7/13/2005; ORD. 638, 12/14/05, ORD. 648, 7/12/06; ORD. 650, 9/26/06; ORD. 699, 7/13/11; ORD. 700, 9/14/11; ORD. 763, 7/13/16]

3.04.180 Payment of Sewer Service Charges.

Sewer service charges shall become payable on June 30 of each year for the next succeeding year with respect to all buildings completed prior thereto, and shall be paid in accordance with the provisions of the ordinance or ordinances of Colma, as may be amended from time to time, relating to the collection of sewer charges on the tax roll. Where a sewer service charge is not entered on the tax roll for collection with respect to any building sewer which is initially connected between July 1 and the next following June 30, or where the building, to which the initial connection is made, is not completed until the period between July 1 and the next following June 30, a prorated sewer service charge shall be estimated and determined by the City Engineer and said prorated service charge shall be paid by the owner of the building. No certificate of occupancy shall be issued until the said sewer service charge is paid.

[*History*: formerly § 3.316; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.190 Fees: Permit and Inspection.

(a) *Single Residential Dwelling*

One single residential dwelling unit (SRDU) $100.00/SRDU

(b) *Multiple Residential Dwelling*

For each building sewer installation $100.00/installation

(c) *Commercial, Industrial, Public and Other Uses*

For each building sewer installation $100.00/installation

(d) *Industrial Waste Discharge Permit Required Use*

In a sum equal to District's cost for processing the Industrial Waste Discharge

Permit Application and Permit, reviewing proposed monitoring programs, and inspecting pretreatment and monitoring facilities.....$500 Minimum

If District's estimate of expenses exceeds the minimum fee of $500 per permit by 25% the fee shall be based on said estimated cost.

(e) *Public Sewer Construction*

(1) Encroachment Permit $70.00

(2) Inspection Charge-In a sum equal to District's costs for inspection but not limited to staff's hourly rate, plus benefits, transportation and administrative costs. $70.00 Minimum

(f) Alteration of Existing Use or Installation. $70.00 Minimum

(g) *Additional Fees for Unauthorized Connections.* In the event any part of a sewer is stored or altered without the issuance of a permit and the inspection of said sewer, the fee for the issuance of said permit and the inspection of said sewer shall be double the amounts listed above, plus an additional fee of $100 to District for issuing an Encroachment Permit. Said fee shall be paid upon submittal of an application form provided by District.

[*History*: formerly § 3.317; ORD. 279,11/10/82; ORD. 286, 5/11/83; ORD. 340, 11/12/86; ORD. 618, 6/16/04; ORD. 638, 12/14/05]

3.04.200 No Discharge or Release of Indebtedness.

Any amendment to the fee schedules in this code shall not discharge or release any person from any indebtedness arising from failure to pay any sum due and owing under any prior ordinance of the Town of Colma establishing sewer service fees or sewer connection fees.

[*History*: formerly § 3.317.5, ORD. 286, 5/11/83; ORD. 618, 6/16/04; ORD. 638, 12/14/05]

3.04.210 Notification.

It shall be the duty of the person doing the work authorized by permit to notify the Town of Colma, in writing, that said work is ready for inspection. Such notification shall be given not less than 48 hours, Saturdays, Sundays and Holidays excluded, before the work is ready to be inspected. It shall be the duty of the person doing the work to make sure that the work will stand the tests required by Colma before giving the above notification.

[*History*: formerly § 3.318; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.220 Condemned Work.

When any work has been inspected and the work condemned and no certification of satisfactory completion given, a written notice to that effect shall be given instructing the owner of the premises, or the agent of such owner, to repair the sewer or other work authorized by the permit in accordance with the ordinances, rules and regulations of Colma.

[*History*: formerly § 3.319; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.230 All Costs Paid By Owner.

All costs and expenses incident to the installation and connection of any sewer or other work for which a permit has been issued shall be borne by the owner. The owner shall indemnify Colma from any loss or damage that may directly or indirectly be occasioned by the work.

[*History*: formerly § 3.320; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.240 Street Excavation Permit.

A separate permit must be secured from the City or any other person having jurisdiction thereover by owners or contractors intending to excavate in a public street for the purpose of installing sewers or making sewer connections.

[*History*: formerly § 3.321; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.250 Liability.

Colma and its officers, agents, and employees shall not be answerable for any liability or injury or death to any person, or damage to any property, arising during or growing out of the performance of any work by such applicant. The applicant shall be answerable for and shall save Colma and its officers, agents and employees harmless from any liability imposed by law upon Colma or its officers, agents or employees, including all costs, expenses, fees and interest incurred on defending same or in seeking to enforce this provision. Applicant shall be solely liable for any defects in the performance of his work or any failure which may develop therein.

[*History*: formerly § 3.322; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.260 Time Limit on Permits.

If work under a permit is not commenced within six months from the date of issuance of the permit, or if after partial completion the work be discontinued for a period of one year, the permit shall thereupon become void and no further work shall be done until a new permit shall have been secured. A new fee shall be paid upon the issuance of said new permit.

[*History*: formerly § 3.323; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.270 Notice of Violation.

Any person found to be violating any provision of this ordinance shall be served with written notice stating the nature of the violation and providing a time limit for the satisfactory correction thereof. Said time limit shall be not less than two (2) nor more than seven (7) working days. The offender shall, within the period of time stated in such notice, permanently cease all violations. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this or any other ordinance, rule or regulation.

[*History*: formerly § 3.330; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.280 Disconnection.

As an alternative method of enforcing the provisions of this or any other ordinance, rule or regulation the City or the appropriate sanitation agency shall have the power to disconnect the user or subdivision sewer system from the sewer mains of the agency. Upon disconnection the agency shall estimate the cost of disconnection from and reconnection to the system, and owner shall deposit with the agency a sum equal to such estimate, before such user is reconnected to the system. The manager shall refund any part of the deposit remaining after payment of all costs of disconnection and reconnection.

[*History*: formerly § 3.331; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.290 Public Nuisance Abatement.

During the period of such disconnection, habitation of such premises by human beings shall constitute a public nuisance, whereupon the City shall cause proceedings to be brought for the abatement of the occupancy of said premises by human beings during the period of such disconnection. In such event, and as a condition of reconnecting, there is to be paid to the City a reasonable attorney's fee and cost of suit arising in said action.

[*History*: formerly § 3.332; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.300 Means of Enforcement Only.

The City hereby declares that the foregoing procedures are established as a means of enforcement of the terms and conditions of its ordinances, rules and regulations, and not as a penalty.

[*History*: formerly § 3.333; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.310 Misdemeanor.

Each and every connection or occupancy in violation of this ordinance shall be deemed a separate violation and each and every day or part of a day a violation of this ordinance continues shall be deemed a separate offense hereunder and shall be punishable as such.

[*History*: formerly § 3.334; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.320 Liability for Violation.

Any person violating any of the provisions of this ordinance shall become liable to the City or the appropriate sanitation agency for any expense, loss or damage occasioned by reason of such violation.

[*History*: formerly § 3.335; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]

3.04.330 Protection from Damage.

No person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the sewerage works of the City of South San Francisco or the North San Mateo County Sanitation District.

[*History*: formerly § 3.336; ORD. 279, 11/10/82; ORD. 286, 5/11/83; ORD. 638, 12/14/05]