



## **Long Beach Water Department**

**The Standard in Water Conservation &  
Environmental Stewardship**

**SUBJECT:      PRESCRIBING RULES, REGULATIONS AND CHARGES GOVERNING  
                  POTABLE WATER, RECLAIMED WATER, SEWER SERVICE, AND THE  
                  WATER CONSERVATION AND WATER SUPPLY SHORTAGE PLAN BY  
                  THE WATER DEPARTMENT, EFFECTIVE JULY 27, 2006**

The following "Rules, Regulations and Charges Governing Potable Water, Reclaimed Water, Sewer Service, and the Water Conservation and Water Supply Shortage Plan" ("Rules") govern potable water, reclaimed water, Sewer Service, and the water conservation and water supply shortage plan provided by the Long Beach Water Department ("Department") and by Resolution of the Board of Water Commissioners ("Board") is effective as of July 27, 2006.

All of the requirements contained in the Rules are subject to change by action of the Board. Copies of the latest edition of the Rules will be kept on file and up to date in the offices of the Department and the City's Planning & Building Department. Anyone planning any activities governed by these Rules should assure themselves that they have the latest and correct information by contacting the Department.

The Board has charged the General Manager of the Department with the responsibility of administering these Rules. All references to the "Department" contained in these Rules shall be understood to mean the General Manager or the authorized representative of the General Manager.



**Long Beach Water Department**

**The Standard in Water Conservation &  
Environmental Stewardship**

**RULES, REGULATIONS AND CHARGES**

**GOVERNING**

**POTABLE WATER, RECLAIMED WATER, SEWER SERVICE,**

**AND THE WATER CONSERVATION AND WATER SUPPLY SHORTAGE PLAN**

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# PART 1

## DEFINITIONS POTABLE WATER AND RECLAIMED WATER

### SECTION 101. DEFINITIONS, TERMS AND PHRASES

**ACTIVE OR OPEN ACCOUNT:** An account for which a customer has signed and is being billed for water service.

**APPLICANT:** Any person requesting potable, fire, or reclaimed water service; service installation, main extension or any other service performed by the Department or its authorized agent.

**APPROVED/APPROVAL:** Approved by the General Manager or his authorized representative.

**BACKFLOW ASSEMBLY:** A device to prevent water or other liquids from being discharged from a premise back into the water or reclaimed water system. Approved backflow assemblies consist of reduced pressure principle devices, and double check valve backflow assemblies.

**BASE PERIOD:** The amount of potable water used during the corresponding billing period of the twelve-month period designated by the Board.

**BILLING PERIOD:** The time interval between two consecutive meter readings that are taken for billing purposes.

**BILLING UNIT:** 100 cubic feet of water, equivalent to 748 gallons.

**BLIND SERVICE:** An existing water service connection on which the meter has not been set or has been removed.

**BOARD:** The Board of Water Commissioners of the City of Long Beach.

**CITY:** City of Long Beach, California.

**COMMERCIAL SERVICES BUREAU:** A Bureau of the City's Department of Financial Management which performs all billing services for the Department including meter reading, billing, collection, customer orders for turn on/off, and the like.

**COST:** The actual cost to the Department, including all labor, material, supplies, equipment and miscellaneous items, together with any applicable indirect and general charges and administrative overhead, in accordance with the accounting practices of the Department.

**CROSS-CONNECTION:** An inter-connection between two water systems. Cross-connections between potable water systems and non-potable water systems are not permitted.

**CUSTOMER:** A person in whose name service is rendered as evidenced by the signature on the application, contract, or agreement for service; or, in the absence of a signed document, by the receipt and payment of bills for such service regularly issued in such person's name regardless of the identity of the actual user of such service.

**DEPARTMENT:** The Water Department of the City of Long Beach, a department of the City existing under and by virtue of the City Charter since 1911.

**DESALINATION:** The process of removing salt from water, usually through methods such as deionization, reverse osmosis or distillation.

**DETECTOR CHECK ASSEMBLY:** A mechanical assembly consisting of a single spring loaded swing check flap gate which closes whenever the on-site water system pressure is lower than the distribution system pressure. Normally equipped with a bypass meter and is typically installed only on fire lines. This is not an Approved Backflow Device.

**DOUBLE CHECK VALVE ASSEMBLY (DC):** A mechanical device consisting of two spring loaded swing check flap gates and twin resilient wedge gate valves which close whenever the on-site water system pressure is lower than the distribution system pressure. Can be installed on either potable water or fire lines and is an Approved backflow prevention assembly.

**FIRE SERVICE CONNECTION:** A facility for the delivery of water to a permanent location to supply a customer-owned fire sprinkler system and/or fire hydrants (Restricted Use).

**FLOW RESTRICTING DEVICE OR FLOW RESTRICTOR:** A fitting inserted into the service connection to reduce flow capacity.

**GRAYWATER:** "Graywater" means untreated household waste water which has not been contaminated by any toilet discharge, has not been affected by infectious, contaminated, or unhealthy bodily wastes, and which does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. Graywater includes Wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs, but does not include waste water from kitchen sinks or dishwashers and toilets.

**GRAYWATER SYSTEM:** "Graywater System" means an independent system and devices exclusively for the distribution or use of graywater.

**GENERAL MANAGER:** General Manager of the Department, who may, from time to time, delegate certain limited authority to person(s) to act in his behalf.

**HISTORIC BASE PERIOD:** The twelve-month period preceding a water shortage emergency declaration established by the Board's resolution.

**INACTIVE OR CLOSED ACCOUNT:** An account that is not signed and has no current customer. The account remains in the billing system, and can be reactivated upon application.

**INTER-CONNECTED:** See "Cross-Connected."

**KILL TAP:** The termination of a service connection at the water main.

**MAIN:** A water pipeline located in streets, highways, public ways, thoroughfares, or private rights-of-way, used to serve the general public.

**METER:** A device to measure water quantities delivered to a customer.

**PERSON:** An individual; a receiver; a trustee; a co-partnership; joint adventurers; a firm; an unincorporated association; a syndicate; a club; a society; a trust; a private corporation; a public corporation; a municipal corporation, board, commission, or department thereof; a county; a state; a national government; a municipal, county, state, or federal agency, board or commission; a water district; a school district; a utility district; a political subdivision; and a drainage, sanitation, Sewer Maintenance, sanitary, irrigation, levee, reclamation, water, conservation, or flood control district, whether acting for itself or in any other representative

capacity; or any other group or combination acting as a unit, and the plural as well as the singular number.

**POTABLE WATER SERVICE CONNECTION:** A facility for the delivery and measurement of potable water to a permanent site for domestic, commercial or industrial use, including water for fire protection purposes.

**POTABLE WATER:** Water suitable for drinking and other general water supply purposes as determined by the Environmental Protection Agency and California State Health Department.

**PROPERTY LINE:** The division between a parcel of land and the public right of way.

**QUANTITATIVE CHARGE:** That portion of the charge for water service for the amount of water registered on the water meter(s) serving the site.

**RECLAIMED WATER:** Treated water provided by the County Sanitation District of Los Angeles County Long Beach Water Reclamation Plant; suitable for landscape irrigation in accordance with the California Code of Regulations, Title 22.

**RECLAIMED WATER NON-PEAK USAGE:** The total average daily demand occurring at a continuous, constant level over a twenty-four (24) hour period.

**RECLAIMED WATER PEAK USAGE:** The total average daily demand occurring between the hours of 9:00 p.m. and 6:00 a.m.

**RECLAIMED WATER SERVICE CONNECTION:** A facility for the delivery of reclaimed water to a permanent site.

**RECYCLED WATER:** See Reclaimed Water.

**REDUCED PRESSURE PRINCIPLE (RPP) DEVICE:** A mechanical device consisting of two independently operating check valves with a reduced pressure zone between the check valves designed to protect against back siphonage and back pressure into a potable water system.

**RULES:** Rules, Regulations and Charges Governing Water and Sewer Service and the Water Conservation and Water Supply Shortage Plan as established by the Board.

**SERVICE RECONNECTION OR RESTORATION:** Re-establishment of water service after discontinuance of service for any reason.

**SERVICE SIZE:** The service size is usually the same as the meter size except: when two or more meters are used in parallel; or when special meters are used.

**SITE:** Integrated land areas, including improvements thereon, undivided by public thoroughfares or water distribution mains of the Department and where all parts thereof are operated under the same management and for the same purpose.

**TEMPORARY SERVICE:** Water service for construction work or other uses as deemed feasible by the Department, such that service is required for only a limited time.

**USAGE:** The quantity of water in cubic feet (CF) that passes through a service meter.

**WATER DISTRIBUTION MAIN:** See "Main."

**WATER SERVICE:** The availability of potable or reclaimed water to a site through the facilities of the Department.

**WATER SERVICE CHARGE:** That portion of the charge for water service which is a fixed amount related to the size of the potable, fire, or reclaimed water service connection.

**WATER SERVICE CONNECTION CHARGE:** The charge payable by the Applicant for the installation of a potable, fire, reclaimed, or temporary service connection.

**WATER SERVICE LATERAL:** The pipe and fittings necessary to conduct water from the distribution main to the meter, or to the shut-off valve on an unmetered service connection where connection is made with facilities of the customer.

**WATER SUPPLY SYSTEM:** The works, water mains, and auxiliaries for collection, storage, treatment, and distribution of water from the source of supply to the point of connection with the customer's water service.

**WATER TRANSMISSION MAIN:** Large diameter pipeline to move water from the source to the Water Treatment Plant and from the Water Treatment Plant to the distribution system.

**WATER TREATMENT PLANT:** A water purification plant, the objective is to treat and improve the physical (color, turbidity, taste and odor), chemical (organic and inorganic) and biological (bacteria and virus) aspect of water quality for the water community. Typical treatment unit processes include chemical coagulation, sedimentation, filtration, and disinfection.

## **PART 2**

### **GENERAL REQUIREMENTS AND PROVISIONS POTABLE WATER**

#### **SECTION 201. CONDITIONS OF POTABLE WATER SERVICE**

Water service provided by the Department is subject to the Rules adopted by the Board. All Applicants or customers shall accept service subject to such Rules, applicable City ordinances, State laws, and to conditions of pressure and availability as may be provided by the distribution system at the site served, and shall hold the City, the Department, and their officials and employees harmless from any damages arising from low pressure, high pressure, fluctuations of pressure, interruptions, shortage, insufficiency of supply, or any combination thereof, by accepting service.

Water service is subject to shutdowns and variations as required by the Department for the operation of and to make improvements or repairs to the water system.

Potable water system pressures are expected to range from 35 to 70 psi during normal operations. Whenever normal operating pressures will be below 15 psi the customer shall be responsible for providing on-site pumping facilities. Whenever normal operating pressures will be above 80 psi, the customer shall be required to install a City Approved pressure-regulating device preceded by an adequate strainer, per 1997 Uniform Plumbing Code Section 1007 Parts (a) and (b).

Where reclaimed water is provided in the City, reclaimed water pressures are expected to range from 45 to 100 psi during normal operations. The customer shall be responsible for any facilities required to use the reclaimed water in this pressure range.

Notwithstanding these expected pressure ranges, the Department will not provide either potable or reclaimed water at a specified pressure, and will not be liable for any damage or operational difficulties resulting from changes in operating pressures.

Water service is subject to shutdowns and variations as required by the Department for the operation of and to make improvements or repairs to the water system.

Before water service will be provided by the Department, the customer shall obtain any approval which may be required by City's Department of Planning and Building, Department of Health and Human Services, Fire Department, or any other authority whose approval is required by law for facilities furnished or installed by the customer.

#### **SECTION 202. RESPONSIBILITY**

The customer shall furnish, install and keep in good and safe condition all equipment that may be required for receiving, controlling, applying and utilizing water, either potable or reclaimed, and the Department shall not be liable for any loss or damage caused by the improper installation or maintenance of such equipment. The Department shall not be liable for damage to property caused by spigots, faucets, valves, or any other equipment that is open when water is turned on at the meter, either when the water is turned on originally or after a temporary shutdown.

The customer shall be liable for any damage to the Department's meter or other equipment caused by an act of the customer or customer's tenants, agents, employees, contractors, or invitees. The customer shall promptly reimburse the Department for any damage on presentation of a bill from the Department or the City.

The Department's control and responsibility ends at its meter, shut-off device, or, in the case of an unfettered or other special installation, at the point where the Department's facilities end. The Department shall in no case be liable for any water delivered through the meter, for loss or damage on the premises served, or elsewhere, caused by, or in any way arising out of, the running or escape of water from open faucets, burst pipes, or faulty fixtures of appliances on the premises.

#### 202.1 Use of Potable Water Without Application for Service

Any person who takes possession or ownership of a site and desires water service shall make application for water service within three days after taking possession or ownership, whether the existing water service is active (on) or inactive (off).

A person using water without making proper application, or who turns the water service on without written authorization, shall be liable for all water services rendered. The amount of such charges shall be determined either by meter readings or on the basis of estimated consumption for the time water was used, as established by the General Manager.

The owner of an unoccupied site shall be responsible for water consumption if no proper application has been made for water service. When the Department finds that water is being used without proper application for water service, then the water service may be discontinued or disconnected without notice.

#### 202.2 Payment of Bills

Two or more adult persons receiving service at the same residence shall be jointly and severally liable for bills for service, deposits, reconnection charges, and all other charges related to water and Sewer Service, whether or not the City received a joint application for such residence. And, they shall be billed by means of a single periodic bill, mailed to the person on the application designated to receive the bill, which bill may itemize all utility services provided by the City.

Services may be discontinued or denied at a residence where bills for service provided to a prior Customer are unpaid if the City determines that the prior Customer still resides at the same residence, or if it can be shown that the new and prior Customer(s) occupied the residence during the same period that such bills were incurred.

The City or the Board may disconnect or refuse service to an Applicant if the acts of the Applicant or the conditions at the residence indicate that false, incomplete, or inaccurate information was given to the City or the Board.

### SECTION 203. COMMERCIAL BUSINESS ACTIVITIES

- A. Commercial business activities for the Department are performed by the City's Commercial Services Bureau. Regulations governing the application for and termination of service, the establishment of credit, reconnection and deposit requirements, refund and forfeiture of deposits, billing, and payment of bills are established by that Bureau subject to the approval of the General Manager and the stipulations contained in Sections 203 through 205 of these Rules.
- B. The Commercial Services Bureau provides a hearing process for the review of disputed bills, except that the Commercial Services Bureau may adjust certain bills for which a customer seeks adjustment without a hearing for the reasons set forth in Subsection C below.
- C. Management personnel in the Commercial Services Bureau with the concurrence of the General Manager may adjust water service charges for the following reasons:

1. Hardships resulting from natural disasters such as earthquakes and floods declared by the President of the United States or the Governor of the State of California; or
  2. Hardships resulting from events declared to be disasters by the Mayor and Council of the City of Long Beach; or
  3. Hardships resulting from unlawful acts perpetrated at the billing address that are supported by information in a police report filed with the Long Beach Police Department; or
  4. Hardships resulting from acts perpetrated at the billing address by a tenant as the result of action taken by the customer to evict that tenant where such action by the customer can be verified by a three day, seven day, or 30 day notice; or
  5. Hardships resulting from hidden and/or non-surfacing leaks at the billing address where corrective action by the customer that can be verified is taken within 30 days after his/her receipt of the bill(s) for which the customer seeks adjustment; or
  6. Situations involving elimination of the "reset" fee for new customers after a meter has been removed for non-payment, tampering, or non-use by a previous customer.
- D. Adjustments at a billing address for which a customer sought an adjustment to the water bill are subject to the following conditions:
1. The maximum total adjustment that the Commercial Services Bureau is authorized to credit to an account shall not exceed \$3,000;
  2. An adjustment that would exceed \$3,000 must be Approved by the Board or the General Manager;
  3. If the usage on the bill(s) is between two (2) and five (5) times greater than the normal monthly usage, then the usage will be adjusted to two (2) times the customer's normal monthly usage for the comparable billing period(s) for the previous year;
  4. If the usage on the bill(s) is between six (6) and ten (10) times greater than the normal monthly usage, then the usage will be adjusted to three (3) times the customer's normal monthly usage for the comparable billing period(s) for the previous year;
  5. If the usage on the bill(s) is between eleven (11) and fifteen (15) times greater than the normal monthly usage, then the usage will be adjusted to four (4) times the customer's normal monthly usage for the comparable billing period(s) for the previous year;
  6. If the usage on the bill(s) is between fifteen (15) and twenty (20) times greater than the normal monthly usage, then the usage will be adjusted to five (5) times the customer's normal monthly usage for the comparable billing period(s) for the previous year;
  7. If the usage on the bill(s) is between twenty (20) and twenty-five (25) times greater than the normal monthly usage, then the usage will be

adjusted to six (6) times the customer's normal monthly usage for the comparable billing period(s) for the previous year;

8. If the usage on the bill(s) is between twenty-five (25) and thirty (30) times greater than the normal monthly usage, then the usage will be adjusted to seven (7) times the customer's normal monthly usage for the comparable billing period(s) for the previous year.
9. If the usage on the bill(s) is more than thirty (30) times greater than the normal monthly usage, then the Commercial Services Bureau shall refer the request for adjustment to the Board or the General Manager.
10. No customer shall receive such an adjustment more frequently than once every three (3) years;

The normal monthly usage for the month immediately preceding the hardship or situation described above is determined by comparing the usage on the bill(s) for which the customer seeks an adjustment with the usage of the previous year. If the account does not show a history of usage for at least twelve (12) months preceding the billing period, the Commercial Services Bureau will determine usage based on the normal monthly usage for a similar customer for a comparable billing period or periods.

## SECTION 204. SITE

The Applicant shall describe the site to be served, and only the site so described shall receive water service.

### 204.1 Ingress and Egress

The Department shall have the right of ingress to and egress from the customer's site for any purpose reasonably connected with the furnishing of water and the exercise of any and all rights secured to it by law.

As provided in this Section, the Department shall have the right to remove any and all of its equipment installed on the customer's site at the termination of water service. The Department reserves the right to relocate any water services at the customer's expense, should any new construction, alterations, or additions upon the site interfere.

### 204.2 Site to be Served

#### 204.2.1 Separate Sites

Separate sites under single control or management will be supplied through individual service connections unless requested by the Applicant and Approved by the Department.

#### 204.2.2 Multiple Units

Separate houses, buildings, living or business quarters on the same site or on adjoining site, under single control or management, may be served at the option of the customer and Approved by the Department by either of the following methods:

- A. Through separate service connections to each unit, provided that the pipeline system from each water service is independent of the other(s) and is not cross-connected, or

B. Through a single service connection to the entire site.

Note: If separate living or business quarters within the same building or premises share a common Plumbing system, water service will be provided through a single service connection.

Except by special agreement with the Department, a customer shall not deliver or cause to be delivered water acquired from the Department to sites other than those described in the application for water service.

#### 204.3 Division of Property

Whenever property having a service connection is divided into two or more parcels, an existing service connection shall be considered as belonging to the parcel located closest to said water service, and new service connections shall be secured for the remaining parcel(s).

### SECTION 205. POTABLE WATER SERVICE CONNECTIONS

The Department will endeavor to install a potable, fire, or reclaimed water service connection of such size and at such location as the Applicant requests, provided such request is reasonable and complies with the City Plumbing Code. Such connection is neither mandatory nor compulsory, and the Department may discontinue the connection after reasonable notice for non-compliance with its Rules. The Department reserves the right to determine the size of the service connection, its location, and the number of units or premises to be served by it.

#### 205.1 Installation & Modification of Service Connections

Only employees, agents, or contractors of the Department shall connect or disconnect the Department's facilities to or from the customer's service. Customer shall pay the cost of reinstallation or remedial work made necessary by unauthorized additions, modifications, or removals of the Department's facilities.

#### 205.2 Meters

Potable and reclaimed water service connections shall be metered, except in those cases where for a limited time the Department finds it desirable not to meter the service because of construction work or other special circumstances.

Customarily, meters will be installed in public property adjacent to the curb or Property Line, but at the option of the Department, they may be installed on the customer's property in an appropriate housing. The Department shall pay no rent or other charge for a meter located on customer's property.

The Department will seal meters at the time of installation, and no seal shall be altered or broken except by authorized employees or agents.

#### 205.3 Meter Test

A customer may request that his/her meter be tested for accuracy. A deposit may be required as established by Appendix A. The amount so deposited will be returned to the customer if the meter is found to register more than 2% fast than a properly calibrated meter.

#### 205.4 Adjustment of Bills for Meter Error

If a meter is found to be more than 2% fast, a refund to the customer or a credit to the customer's account will be made of the overcharge, based on the corrected meter readings for the period, not to exceed six months, for which the meter was in use. If a meter is found not to register, or to register more than 25% slow, a bill for the undercharge may be rendered to the customer. The undercharge will be based on the estimated volume of water consumed for the period immediately preceding the replacement of the meter, not to exceed six months.

#### 205.5 Other Adjustments

Notwithstanding anything to the contrary herein, the Board of Water Commissioners or the General Manager may adjust water service charges for the same reasons stated in Section 203c, but the adjustment sought by the customer must exceed \$3,000.

#### 205.6 Refund

Any money paid to the City and/or the Department by any person for water service may be refunded if it is determined by the General Manager that said refund is due to a billing error made by the City or the Department, or for duplicate payment, change of plans, overestimates, or other appropriate situations. Any such refund may be made by direct payment to a person or by a credit against said person's water bill, if an application for a refund is filed by the person entitled to the money. The application must be filed within one year after the occurrence prompting the customer's claim for a refund.

#### 205.7 Ownership, Maintenance, and Removal

The service connection, including the meter and meter box, are the property of the Department, whether located on public or private property. The Department will maintain, repair and renew the service connection at its expense, and may at its option deactivate or remove it upon discontinuance of service, for the protection of Department facilities or for non-compliance with the Rules.

#### 205.8 Shut Off Valves

Every service connection is equipped with a shut off valve in the meter box, which shall be operated only by Department personnel. Customer shall install a suitable valve on Customer's side of the meter, as close to the meter box as practical to control the entire water supply from the service. Notwithstanding any other provisions of these Rules, a customer may request that the Department close its valve and subsequently re-open it, at no charge, in order for Customer to perform maintenance or repair to Customer's facilities. If Customer fails to install a shut off valve and repeatedly requests that the Department close Department's valve the Department will not re-open the valve until the Customer has installed a shut off valve.

#### 205.9 Root Intrusion from City-Owned Trees

The Department will repair or relocate a property owner's water lateral if, in the Department's sole judgment, the failure of the water lateral is due to City-owned trees.

The Department will only repair or relocate copper or plastic water laterals. The Department will not repair laterals made with galvanized pipe.

The property owner shall perform an initial investigation of the source of damage to the water lateral by digging as necessary to expose the damage to the water lateral. If the Department determines that the cause of the damage was not due to City-owned trees, the property owner shall pay for all repairs or relocations. The Department will not be responsible or pay for any damage to sprinklers or sprinkler systems.

## SECTION 206. DISCONTINUANCE OR TERMINATION OF SERVICE

Failure to comply with the Rules may result in termination of water service until appropriate corrective action has been taken. The Department may, as determined by the General Manager, discontinue service to a reclaimed water user's potable water system in order to protect the public health.

### 206.1 Unsafe Apparatus or Condition

The Department may refuse to furnish water and may discontinue service to any site where apparatus, appliances or equipment using water are dangerous, unsafe or not in conformity with applicable laws or ordinances, or where an unsafe or hazardous condition is found to exist.

### 206.2 Service Detrimental to Department Facilities

The Department may refuse to furnish water and may discontinue service to any site where excessive demand:

- Exceeds the capacity of the Department's service facilities;
- Are or may be detrimental or injurious to Department facilities;
- May diminish service capacity to other customers.

### 206.3 Fraud or Abuse

The Department may refuse to furnish water and may discontinue water service to any site to protect itself against fraud or abusive conduct on the part of the customer and may, to prevent damage to Department facilities or the unauthorized use of water, remove the water meter or otherwise alter the service as it deems necessary.

### 206.4 Wasting of Water

The Department may discontinue service where water is wastefully or negligently used on a site, or where the customer has been notified of such wastage and the conditions are not corrected or repaired.

### 206.5 Temporary Service Turn-off

The Department will not discontinue service to enable a customer to avoid payment of service charges, except where the customer is affected by causes beyond his/her control.

### 206.6 Service Restoration Charges

The Department may charge a fee as established by Appendix A for restoring water service that has been discontinued for acts or conduct of the customer. If the meter has been removed to prevent fraud, damage or unauthorized use of the water service, the Department may charge a meter reset fee in addition to the service restoration fee (See Appendix A).

## SECTION 207. MISCELLANEOUS PROVISIONS AND REGULATIONS

Notice from the Department to a customer will be given in writing, either personally delivered or mailed at the customer's last known address. Where conditions warrant, and in emergencies, an oral notice will be deemed adequate. Notice from any customer to the Department pursuant to the Rules or rate ordinances may be given in person by the customer or by the customer's authorized agent at the Department's office or by written notice either delivered or mailed to the Department.

#### 207.1 Ground Wire Attachments

Use of Department facilities for electrical grounding is not allowed. The customer shall be liable for any damage or injury which results from the attachment of any ground wire or wires on or from customer's site to any Plumbing which is or may be connected to a service connection or main belonging to the Department.

#### 207.2 Unauthorized Use of Potable Water and Reclaimed Water

Any person or agency obtaining water by fraudulent means, or diverting or using water in an unauthorized manner may be prosecuted or sued civilly. Such fraudulent or unauthorized act may include using a fire hydrant, service or other system connection or tampering with the Department's equipment for the purpose of avoiding payment as herein prescribed. In addition to prosecution and civil action, for each occurrence, the Department may charge said person or agency a minimum of \$300 for the estimated value of the water and for other costs incurred by the Department by reason of the fraudulent or unauthorized water use. The General Manager will determine the estimated value of water, and in no case will the charge be less than the minimum established in Appendix A.

#### 207.3 Special Regulations

The General Manager shall, from time to time, prescribe, promulgate, and enforce special regulations for all customers and all other persons coming within the purview of the provisions of these Rules. The special regulations shall apply to the installation of any water facilities or services installed or operated, or maintained pursuant to, and in conformity with, the Rules, the ordinances of the City and State Law.

#### 207.4 Flow Restricting Device

The Department may install a flow-restricting device on the customer's water service for failure to comply with the provisions of the Department's Water Conservation and Water Supply Shortage Plan. The charge to install and remove the device is established in Appendix A.

## **PART 3**

### **INSTALLATION AND EXTENSION OF DISTRIBUTION FACILITIES**

#### **SECTION 301. FACILITIES INSTALLED UNDER PRIVATE CONTRACT**

An Applicant for service requiring main improvements, extensions and service connections shall arrange for the design by a licensed engineer and the installation by a private contractor. These facilities must be designed and installed in accordance with terms and conditions of an agreement between the Applicant and the Board. The Applicant shall pay all Department costs in connection with the design and installation of these facilities.

The material installed and work performed by or on behalf of the Applicant must comply with plans and specifications Approved by the Department. Installation of the work is subject to inspection by the Department at all times. The Applicant shall pay the estimated cost in advance for engineering and inspection services, materials, and general and administrative expenses, and other costs determined in accordance with the accounting practices of the Department. If the amount paid is less than the final cost the Department will send an invoice to the Applicant. If the amount paid is greater than the final cost the Department will refund the difference to the Applicant.

Upon completion of the installation of the facilities in accordance with the agreement, the Applicant shall transfer title of the facilities to the Department and shall prepare and sign easements relating to the facilities to the Department, and deliver the easements to the Department. The Board may approve and accept these facilities at its sole discretion.

Notwithstanding the requirements of the above, the Board, at its sole discretion, may determine to design and/or install service connections and main extensions using Department forces. The determination may be based on the Department's operating needs, work schedules, staffing levels, operating requirements, or other relevant factors. The cost of any Department designs and/or installations shall be paid solely by the Applicant.

#### **SECTION 302 CONSTRUCTION IN WATER DEPARTMENT EASEMENTS**

At no time will the Department approve plans that include landscaping (except grass or shallow root plantings) or Structures (such as walls, drainage systems, or permanent Structures of any type) placed within easements.

#### **SECTION 303. REIMBURSEMENT AGREEMENT**

The Department recognizes that special circumstances may exist where the first developer's Applicant project provides substantial benefit to the Department's overall water and/or Sewer System or provides benefits to future developers. The Board, at its option, may enter into a reimbursement agreement with the Applicant under the following terms and conditions:

##### **303.1 Applicant to Collect Reimbursement from Future Developer(s)**

The Department may execute a reimbursement agreement whereby the Department agrees to reimburse to the Applicant any capital facility fees collected for the water or Sewer facilities covered by the agreement up to the eligible amount of the reimbursement.

The reimbursement agreement will have a term up to twenty (20) years. Accordingly, all rights to reimbursement shall cease in twenty (20) years whether or not the Applicant has received the full amount of reimbursement stated in the agreement.

The reimbursement agreement shall specify the facilities eligible for reimbursement and the value thereof. These facilities shall exclude any special system and connections for the sole benefit of the Applicant's property.

The reimbursement agreement shall specify the frontage length or area of land for which the Applicant shall be entitled to recover costs by reference to a map. Future developer(s) shall reimburse the Applicant for the pro-rated share of water and/or Sewer System(s).

An Applicant may assign the reimbursement agreement after written notice to and approval by the Department.

The Department is not required to make any reimbursement payment to the Applicant or assignee.

### 303.2 Department to Reimburse the Applicant

To the extent that a benefit may accrue to the City, the Board may participate in the reimbursement by paying the Applicant directly. The participation of the Department will depend on the availability of funds and the following analysis:

- A. When the project is consistent with the Department's Capital Improvement Program.
- B. If the request to the Department for a reimbursement agreement is made before the Approved Department approves the Engineering Plans.
- C. The Board will collect pro-rated system costs from future developer(s).

### SECTION 304. COST SHARING POLICY FOR TRANSMISSION MAIN RELOCATION

The Department recognizes that the continuing Development of the City of Long Beach may require, from time to time, the relocation by others of existing water or Sewer pipelines belonging to the Department. To the extent that a benefit may accrue to the City, by virtue of the relocation of large diameter water, Reclaimed Water, or Sewer pipelines, the Department may participate in the cost of the relocation under the following terms and conditions. The participation of the Department will depend on the availability of funds at the time the Development is submitted or at the time the Development will actually be constructed.

The Department may participate in the cost of the relocation of large diameter water or Sewer transmission mains:

- A. only for water transmission mains (main) or Trunk Sewers (main) within the City of Long Beach;
- B. only for water mains larger than 16-inches in diameter;
- C. only for Sewer Mains larger than 15-inches in diameter;
- D. only for lengths of main equal to or less than the existing main;
- E. only when the relocation of the main is consistent with the Department's capital improvement program (CIP);

- F. only when the relocated main is determined by the Department to have at least the same capacity and serviceability as the existing main.

If the Department will participate in the cost of the relocation, it will do so according to the following terms:

Participation shall be based on the construction cost associated with the pipeline relocation and an amount for planning, engineering, design, easements, or other rights of way fees equal to 20% of the construction cost.

The Department's participation will be determined according to the following formula:

Department Participation (**P**) = [1.2\*Cost of construction (**C**) - Remaining Value of Existing Main (**RV**)] times Department Adjustment Credit Factor (**F**).

Department Participation (**P**) = The dollar amount that the Department may reimburse to the Developer.

Cost of construction (**C**) = The construction cost established by the Department based on actual lowest responsive construction bid. The construction cost used for determining participation shall be the actual lowest responsive bid and submitted prior to the start of construction.

Remaining Value of Existing Transmission Main (**RV**) = The remaining value of the existing main expressed as the ratio of the remaining life (**R**) of the existing main to the expected life (**L**), as determined by the Department, times the cost of relocation. That is,

$$RV = (R/L)1.2C, \text{ therefore}$$

$$P = 1.2[C-(R/L)C]F \text{ or}$$

$$P = 1.2C[1-R/L]F$$

The Department Adjustment Credit Factor (**F**) shall be set according to the following:

$$F = K_1 * K_2 * K_3 * K_4 \text{ where:}$$

$K_1$  = Effective Length Factor. The ratio of the length of the existing main to the length of the relocated main; this factor shall not exceed 1.0.

$K_2$  = Risk Factor. This factor takes into account the Department's potential risk for not being able to fully realize the estimated life of the new main due to risk or site specific reasons. This factor may vary from 0.2 for the worst case condition to 1.0 for a greatly enhanced case. This factor shall not exceed 1.0.

$K_3$  = Construction and Maintenance Factor. A measure of the convenience and accessibility of the pipe installation; this factor considers the ease of access, relative depths, and congestion. This factor may vary from 0.5 to 1.0 with 0.5 as the lower limit for a worst case condition and 1.0 for a greatly enhanced case. This factor shall not exceed 1.0.

$K_4$  = CIP Risk Factor. A measure of the inconvenience for taking this project out of the Department's Capital Improvement Program (CIP) which may affect funding, interest and planning. This factor may vary from 0.2 for projects that are less significant to the overall CIP to 1.0 for more important projects. This factor shall not exceed 1.0.

Requests to the Department for financial participation in the relocation of a main shall be submitted to the Department at the time the project permit application is submitted and before the Developer's Agreement is signed. Permit approval and the Department's participation in the costs of relocating a main are not necessarily related. The developer should be aware that if construction work is begun prior to the Department's agreement to participate financially in the relocation, the developer shall remain fully liable to pay the entire costs. The Department will make a determination regarding the percentage of participation by the Department in the cost of the relocation and cause that percentage to be reflected in the Development agreement. All the terms and factors are final and cannot be re-adjusted nor negotiated, once this agreement is executed.

The request for the Department's participation shall include:

- The project plans with water and/or Sewer flow analysis as submitted for permit approval;
- A narrative description of the realignment including an estimate of the project costs and details of expected construction methods; and,
- Additional information as the Department shall deem necessary to consider the request and establish the percentage of participation.

When the developer constructs the relocation, the Department shall reimburse the developer for the Department participation after completion of construction of the project and final inspection and approval by the Department. Unless the Department agrees to perform the relocation work, the developer is responsible to design and construct the relocation with a qualified consultant and contractor, respectively Approved by the Department. A public bid must include at least three (3) responsible bidders unless otherwise Approved by the Department. Failure to comply with this or any other requirement set by the Department, shall terminate any participation by the Department. The Department reserves the right to decline a request for a relocation by the Department at its sole discretion.

After bids are received, the developer must submit the bid results to the Department. The value of "C" in the participation formula shall be defined as 1.2 times the lowest responsive bid. The developer will still be responsible for typical Development fees associated with the Department's engineering, inspection, and administrative fees, which are not part of the cost sharing agreement.

In those cases where the Department agrees to complete the relocation, the Department will provide the developer with an estimate of the cost of the relocation. This will include all Department costs including design, construction, inspection, administration, and other required costs. As part of the approval of the Development agreement, the developer must deposit with the Department 1.2 times the estimated relocation cost. The financial and management decisions related to the expenditure of said costs will be decided solely at the discretion of the Department. The Department will forward records of progress payments to the Developer on a routine basis. After the relocation is complete, the Department will make an accounting of all costs. If the amount deposited is less than the final cost the developer will be invoiced. If the amount deposited is greater than the final cost the difference will be refunded to the developer. The Department will not be responsible or liable for any type of project delay.

Payment by the Department, for its participation, shall be the full amount for participation values and will be made within 60 calendar days after the date of acceptance of the work by the Department.

## SECTION 305. MAIN EXTENSIONS TO INDIVIDUAL CUSTOMERS

The Department may extend, at its own expense, a water distribution main to a customer after application and pre-payment for regular service(s), when the total length of the main extension from the existing facilities:

- Is installed on a public right of way;
- Does not exceed 250 feet per customer; and,
- The main being extended is not larger than six inches.

If the total length of a main extension exceeds 250 feet per customer, or is required to be larger than 6 inches for hydraulic capacity, an Applicant may be required to enter into an agreement with the Board for construction of the entire extension with the Board giving credit to the customer for the initial 250 feet. Credit will be based on the estimated cost as determined by the Department. The extension, at the Board's option, will be constructed by the Department or by Applicant's contractor.

The decision of the Department shall be final as to the size of main extension required for the hydraulic adequacy of the water supply system.

#### SECTION 306. SERVICE TO NEW SUBDIVISIONS OR OTHER PARCELS FROM EXISTING WATER MAINS

An Applicant for water service to a new subdivision or other parcel to which service has not been provided may be required to pay a main frontage charge at the rate established by Appendix A for each lot or parcel to be served from a water main installed after June 25, 1962. The frontage charge is in addition to service connection charges for potable or fire service connections.

The Applicant for water service to a new subdivision or other parcels shall make the water main, potable water service and fire service connections to a distribution main. Under no circumstances shall the Applicant connect such water services to 20-inch and larger transmission mains.

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## **PART 4**

### **POTABLE WATER SERVICE CONNECTIONS**

#### **SECTION 401. INSTALLATION CHARGES – ALL LOCATIONS**

Charges for the installation of potable service connections are established in Appendix A. Installation charges are payable in advance, unless otherwise Approved by the Department.

Where 12 inch and smaller potable service connections are made to mains larger than 12 inches, the installation charge shall be the equivalent of a connection to a 12-inch main with the Department assuming any excess installation costs.

#### **SECTION 402. MODIFICATIONS**

Upon request from a Customer, the Department will make the service modifications described in this Section. Charges for these modifications are established and fixed in Appendix A.

##### **402.1 Reset Meter**

The Department will charge a meter reset fee for installing a meter on an inactive service connection where the service lateral is of adequate size and remains in usable condition.

##### **402.2 Reduction or Enlargement of Meter Size**

The Department will charge a service reduction or enlargement fee if a Customer wants to reduce the size an existing service meter or enlarge an existing service meter which had previously been reduced. If a Customer requires both a reset and a reduction in size, the charge shall be that for a reduction in size and no charge will be made for resetting the meter.

##### **402.3 Enlargement of Meter Size**

If a Customer wants to enlarge the size an existing service meter and the existing lateral is of inadequate size, the charge for enlarging such service shall be equal to the charge for a new service installation.

##### **402.4 Meter Relocations**

The Department will charge a meter relocation fee for relocating a meter less than fifteen feet from its original location and using the same existing lateral. If the distance is more than fifteen feet, the charge shall be equal to the charge for a new service installation.

##### **402.5 Kill Taps**

The Department reserves the option of terminating a service connection at the water main (Kill Tap). Request for kill tap by a Customer will be completed after the Customer pays the required service fee (See Appendix A).

##### **402.6 Responsibility for Customer's Pipelines**

In all cases of service connections or meter relocations, the Customer shall be responsible for connecting his/her pipelines to Department facilities.

## **PART 5**

### **FIRE SERVICE CONNECTIONS**

#### **SECTION 501. SERVICE TO CUSTOMER-OWNED FIRE PROTECTION FACILITIES**

Water service solely for private fire protection purposes to a Customer-owned fire sprinkler system, including fire hose cabinets which are an integral part of the sprinkler system, are classified as a fire service connection (restricted water use).

Water service to Customer-owned fire protection facilities that include private fire hydrant(s) or other manually controlled outlets may, at the option of the Department, be classified as either a fire service connection or a potable service connection.

#### **SECTION 502. INSTALLATION CHARGES - ALL LOCATIONS**

The installation charge for fire service connections is established by Appendix A. Installation charges for fire service connections are payable in advance, unless otherwise Approved by the Department. Where 12 inch and smaller fire service connections are made to mains larger than 12 inches in size, the installation charge shall be equivalent to a connection to a 12-inch main, with the Department assuming any excess installation costs.

#### **SECTION 503. MINIMUM SIZE**

The minimum size for fire service connections is two (2) inches.

#### **SECTION 504. MAXIMUM SIZE**

The size of a fire service connection available at any site is limited to the hydraulic adequacy of the existing water supply system available to the site to be served. The costs of main enlargement or extension, if required to provide additional hydraulic capacity for a Fire Service Connection, shall be paid by the Applicant for said Fire Service Connection, and are not subject to refund.

#### **SECTION 505. MODIFICATIONS**

##### **505.1 Reduction, Enlargement, or Relocation**

After an investigation into feasibility and approval by City's Fire Department for conformity with its regulations, the Department may make a modification in size, either reduction or enlargement, or change the location of an existing Fire Service Connection.

##### **505.2 Charge for Modifications**

The charge for modification of a fire service connection requested by a customer is hereby established and fixed at Department's cost, but shall not exceed the charge for a new fire service connection of equivalent size.

#### **SECTION 506. ALLOWABLE WATER USAGE**

The Department will bill the Customer for all water through a fire service connection unless the Customer notifies the Department in writing that said use was for fire fighting.

Water for fire fighting purposes will be provided without charge in amounts as required.

Each fire service connection has a small positive displacement meter capable of registering small flows. If usage on this small meter exceeds one Billing Unit per month, a letter of non-compliance will be issued to the Customer. The Customer must take prompt corrective actions to minimize the excessive water use. If the violation persists, the fire service connection will be converted to a potable service with the cost of the conversion to be paid by the Customer. Prior to completion of the conversion, the potable service will be reevaluated by the Department to ensure conformance with backflow protection requirements. The Department may also discontinue water service until this issue is resolved to the Department's satisfaction.

#### SECTION 507. ACTIVATION OF SERVICE

A newly installed fire service connection shall be left closed until an oral or written order to turn on the water is received from the Customer.

#### SECTION 508. FIRE FLOW TESTS

Upon request and the payment of the fixed fee, the Department will cause the performance of a Fire Flow Test at prescribed public fire hydrant location(s). Charges for a Fire Flow Test will be established and fixed in Appendix A.

## PART 6

### TEMPORARY SERVICE CONNECTIONS

Temporary water services, whether from a fire hydrant or otherwise, are installed at the discretion of the Department for the convenience and use by individuals, contractors and companies doing work of a limited duration. Temporary services are not transferable without the Department's prior written approval. Charges for the installation and removal or relocation of temporary service connections are shown in Appendix A.

#### SECTION 601. PERMITS

Only one permit will be issued for one temporary water service for a period not to exceed twelve (12) months. Temporary service connections shall be disconnected and terminated within one year after installation unless the Customer applies for and receives a written extension of time from the Department.

Renewals for the same location or permits for a different location may be granted only after the Department has inspected the meter for damage or tampering and has determined that the amount of water used as recorded by the meter is correct and that all bills due and payable have been paid.

Permits shall not be granted to any individual, business, or agency known to be in violation of any provision of these Rules.

#### SECTION 602. CHARGES

The Applicant shall pay a meter rental fee. The monthly rental fee is not pro-rated. Water consumed through the meter will be charged at commodity rates. The Applicant must report the monthly meter read to the Department. If the Applicant fails to report the monthly meter read by the fifth day of the month, the Department will estimate the bill and charge the Applicant a fee for not reporting. Charges for water usage and meter size must be paid monthly. Temporary service connections shall be terminated if payment is not made within thirty days after billing. A refund less any outstanding amounts due will be made following the return of the meter.

The Applicant shall pay the costs for the Department's crew to install, remove or relocate the temporary meter service on fire hydrants, as established in Appendix A.

#### SECTION 603. METER DEPOSIT

Before a temporary water service can be supplied through a fire hydrant or other connection, the Applicant shall fill out an application, comply with the permit conditions and pay all requisite fees and deposits as established by Appendix A. The deposit will be held until the service connection is no longer needed and the meter returned. The Department may waive the deposit for governmental agencies only.

Whether or not a deposit is required, the Applicant shall pay for any loss or damage to the meter. If a meter is damaged or lost after it has been set for the Applicant, the Applicant shall pay the total cost of repairing the damaged meter or the replacement cost of the lost meter.

#### SECTION 604. OTHER PROVISIONS AND REGULATIONS

Each user shall make every attempt to maintain a constant flow through the meter. The Department reserves the right to interrupt service without notice if such usage is causing pressure in the system to drop below an acceptable range.

Any person using a fire hydrant without aforesaid permit, tools and tampered meter may be charged with theft of water.

## **PART 7**

### **FIRE HYDRANTS**

#### **SECTION 701. INSTALLATION**

The Department will install fire hydrants on existing mains without charge whenever such installation is in the public interest or will rectify an existing deficiency, as requested by the Chief of the City's Fire Department and Approved by the Department.

Appendix A describes the charge for the installation of a fire hydrant for: (a) commercial, industrial, or multiple Dwelling Unit Development; or (b) when Fire Department regulations require the installation of a fire hydrant to serve as a source of water for a Fire Department pumper connection for pressure boosting of a customer-owned fire sprinkler system.

The cost of main enlargement or additional mains or water system facilities specifically required for the installation of a fire hydrant(s) shall be paid by the Applicant for the fire hydrant(s).

#### **SECTION 702. RELOCATION CHARGES**

The charge for relocating a fire hydrant requested by the owner or occupant of a private single family residence is described in Appendix A. The Water Department and the Fire Department must approve the new location prior to the relocation of the hydrant.

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## **PART 8**

### **CROSS CONNECTION AND BACKFLOW PREVENTION**

#### **SECTION 801. GENERAL PROVISIONS AND REQUIREMENTS**

The Department has the responsibility to protect the public water system from contamination caused by the backflow of contamination through the water service connection. The City's Department of Health and Human Services is responsible for the protection program downstream from the meter assembly on private property.

No water service connection shall be installed or maintained to any premises where actual or potential cross-connections are known to exist unless such cross-connections are abated or controlled to the satisfaction of the Department.

Customers with conditions that constitute a potential contamination hazard to the City's water supply system shall install one or more Approved backflow prevention assemblies at the service connection(s). The regulations of the California State Department of Health Services, Title 17 of the California Code of Regulations are incorporated into and made a part of these Rules by this reference.

#### **SECTION 802. TYPE OF PROTECTION REQUIRED**

All water services connected to the public water system may be required to include an Approved backflow prevention assembly of the type designated by the Department. The approval of the type of device shall be based on the existing or potential degree of hazard which exists in the opinion of the Department. All devices shall be Approved by the Foundation for Cross-Connection Control and Hydraulic Research, University of Southern California, Los Angeles, CA 90089-2531.

The installation of the backflow prevention assembly shall be above ground, as close as practical to the service connection meter or to the street right-of-way line, screened from view as Approved by the Department and shall conform to the Department's standards and requirements.

When water service is initiated, the Applicant must provide sufficient information, including Plumbing and building plans, to enable the Department to determine the level of backflow protection required. Plans and specifications must be submitted to the Department for review of possible cross-connection hazards as a condition of service for new service or modification to existing service.

Each time there is a change of Customer (either owner or tenant) on any commercial or industrial property, the new or previous owner or Customer shall notify the Department immediately. Also, any modification to existing Onsite Facilities that may affect the level of protection must be reported immediately.

The Department may require an inspection of the premises to evaluate cross-connection hazards. If Customer does not allow an inspection Customer must install a backflow prevention assembly providing the highest level of backflow protection.

The type of protective device that may be required to prevent backflow into the public water supply includes: Reduced Pressure Principle (RP) or Double Check (DC) Backflow Prevention Assembly and an air gap separation (AG). It is recognized that conditions vary and that protection will be determined by the degree of hazard. Therefore, the Department may require greater or lower level of protection than listed below, or may require backflow

prevention for facilities not specifically listed. The minimum type of backflow protection at the service connection that shall be installed on Customer's premises whenever the following degrees of hazard exist are as follows:

802.1 Facilities Requiring a Reduced Pressure Principle Device (RP)

- A. Aircraft and Automobile Manufacturing Plants
- B. Auxiliary Water Systems (Interconnected)
- C. Buildings with Sewage ejectors (inadequate in-plant protection)
- D. Breweries
- E. Canneries, Packing Houses and Reduction Plants
- F. Car Wash with water reclamation system
- G. Centralized Heating and Air Conditioning Plants
- H. Chemical Plants
- I. Dye Works
- J. Film Processing Laboratories
- K. Hospitals and Convalescent Facilities
- L. Irrigation Systems (premises having separate systems - such as parks, playgrounds, cemeteries, golf courses, and schools)
- M. Laboratories using toxic materials
- N. Manufacturing, Processing and Fabricating Plants using toxic materials
- O. Medical and Dental Buildings
- P. Mortuaries
- Q. Oil and Gas Production Facilities
- R. Multi-storied Buildings (3 stories or more)
- S. Multiple Services-Interconnected
- T. Paper and Paper Production Plants
- U. Plating Plants
- V. Radioactive Materials Processing Facilities
- W. Restricted, Classified or other Closed Facilities
- X. Rubber Plants
- Y. Sewage and Storm Drainage Pump Facilities
- Z. Center front Facilities (generally excluding private residences)
- AA. Where the use of a substance, process water, or water supplied by this Department is such that the water may be subject to deterioration in sanitary quality and permit its entry into the water system

802.2 Facilities Requiring a Double Check Backflow Assembly (DC)

- A. Auxiliary Water Systems (not interconnected)
- B. Beverage Bottling Plants
- C. Buildings with house pumps and/or water storage tank
- D. Buildings with Sewage ejectors (adequate in-plant protection)

- E. Chemically Treated Potable Water Systems
- F. Commercial Laundries
- G. Cold Storage Plants
- H. Food Processing Plants
- I. High Schools and Colleges
- J. Manufacturing, Processing and Fabricating Plants using non-toxic materials
- K. Mobile Home Parks

### SECTION 803. FIRE PROTECTION SYSTEMS

Backflow prevention assemblies may be required on an automatic closed fire sprinkler system. However, where there is the intent, or provisions are made for the addition of chemical solutions into the fire system or "Special Conditions" exist on the site, an Approved back-flow prevention assembly shall be installed.

The following "Special Conditions" may warrant an Approved backflow prevention assembly at the user connection(s):

- A. Underground fire sprinkler pipelines parallel to and within ten feet horizontally of Sewer pipelines carrying significantly toxic materials.
- B. When water is supplied to a site or an area from two or more services of the water utility, or from two different water utilities, flow problems should be evaluated.
- C. Occupancies (or changes in occupancies) which involve the use, storage, or handling of types and quantities of materials in a manner which could present a significant health hazard to the domestic water supply.
- D. Sites with unusually complex piping systems.

An Approved backflow prevention assembly shall be installed on a closed automatic sprinkler system that is interconnected with an auxiliary water supply.

A fire line with hose racks, hydrants or roof tanks shall have the same type of backflow prevention as is required on any other domestic or industrial water service entering the property.

An Approved backflow prevention assembly shall be installed at each fire service connection where there is an available auxiliary water supply suitable for fire fighting purposes. This includes any fire system subject to contamination resulting from the introduction of "Foamite," antifreeze solutions, or other biological or chemical additives.

### SECTION 804. TESTING AND MAINTENANCE

A developer or its agent shall install all new backflow prevention assemblies. The initial test and certification of these assemblies will be performed by the Department. Thereafter, any assemblies connected directly to the public water system will be maintained, serviced, and tested annually by the Department. The Department will notify affected Customers when testing of an assembly will be performed.

More frequent testing may be required if, in the opinion of the Department, the severity of the hazard or repeated failures of the backflow prevention assembly to function properly warrants additional testing.

An Applicant or Customer must obtain approval from the Department before an assembly is removed, relocated, or replaced. Whenever an assembly is relocated, modified, repaired, or found to be malfunctioning, the Applicant or customer shall notify the Department immediately and the Department will test the assembly and re-certify it. The assembly shall not be placed in service unless it is functioning as required. Water service to any site may be terminated by the Department if unprotected cross-connections exist on the site, any defect is found in an installed backflow prevention assembly, or if a backflow prevention assembly has been removed or bypassed without written permission from the Department. Water service will not be restored until those conditions or defects are corrected. Charges for terminating service are contained in Appendix A.

Termination of service may be summary, immediate, and without notice whenever, in the judgment of the Department, such action is necessary to protect the quality and/or safety of water and the water supply system.

The City's Department of Health and Human Services is responsible for the protection program downstream from the meter on private property. Customers shall fully comply with all requirements established, and shall provide, install, test and maintain all required backflow prevention assemblies on private property at the Customers' expense. All assemblies shall be readily accessible for testing and maintenance.

## PART 9

### RECLAIMED WATER SERVICE

#### SECTION 901. RECLAIMED WATER SERVICE CONNECTIONS

Charges for the installation of reclaimed water service connections are contained in Appendix A. Installation charges are payable in advance, unless Approved by the Department.

Volumetric charges for the consumptive use of reclaimed water and the daily service rate are contained in Appendix A. The volumetric charges and daily service rates are payable monthly, unless otherwise Approved by the Department. The Department shall maintain the volumetric charge for reclaimed water less than potable water as an incentive to conserve potable drinking water.

##### 901.1 Plans and Specifications

Before a service request will be Approved, the Applicant must submit engineering plans and specifications to the Department for review and approval. The plans must include estimates of the acreage that is proposed for irrigation, the type of vegetation that will be irrigated, and the amount of reclaimed water required for irrigation. For uses other than landscape irrigation, plans and specifications sufficient to describe the proposed facilities will be furnished to the Department for approvals.

The plans and specifications must be complete in all respects and must be comprehensive enough to allow the Department to determine if all of the applicable portions of these Rules have been met. The Department reserves the right to request that additional information be added to the plans and specifications if, in the determination of the Department the plans and specifications are inadequate for the purposes of determining compliance with these Rules. As-Constructed plans shall be prepared and maintained by the customer showing the location of both the reclaimed and domestic water systems.

##### 901.2 Conversion of Existing Systems

Where it is planned that any existing water system will be converted to a reclaimed water facility, the Customer at his/her expense shall perform a comprehensive investigation. The facilities to be converted for reclaimed water shall be investigated in detail, including review of any record drawings, preparation of required reports, and determinations by the Department of measures necessary to bring the system into full compliance with these Rules. No water facilities shall be connected to or incorporated in the reclaimed water system that have not been Approved by the Department.

New and converted reclaimed water facilities shall be subject to the following requirements:

- A. The Department reserves the right to limit the area of land under one ownership to be supplied by one reclaimed water service.
- B. A reclaimed water service connection shall not be used to supply adjoining property of a different owner without the prior written approval of the Department.
- C. When property provided with a reclaimed water service connection is subdivided, such connection shall be considered as serving only the Lot or parcel of land that it first enters.

- D. Additional reclaimed water service connections will be required for remaining subdivided areas.
- E. All reclaimed water used on any site where a meter is installed must pass through the meter. Customers shall be liable and charged for all reclaimed water passing through their meters.
- F. Every reclaimed water service line shall be equipped with an angle curb stop or wheel valve on the inlet side of the meter: such valve or angle curb stop being intended exclusively for the use of the Department in controlling the reclaimed water supply through the reclaimed water service line. If the curb stop or wheel valve is damaged by the customer's use to the extent requiring replacement, such replacement shall be at the customer's expense.

### 901.3 Authorized Uses for Reclaimed Water

In accordance with Section 901, the uses of reclaimed water may include, but are not limited to, landscape irrigation, agricultural irrigation, construction water, industrial process water including cooling tower applications, water for flushing toilets and urinals in non-residential buildings, recreational impoundments, or other uses specifically described in California Code of Regulations, Title 22, for Disinfected Tertiary Treated Reclaimed Water. Each use must be Approved on a case-by-case basis, and the Department may determine at its own discretion whether it is necessary or desirable for the specific use of reclaimed water to be allowed. Determinations as to the specific uses to be allowed shall be in accordance with the standards of treatment and water quality requirements set forth in California Code of Regulations, Title 22, Chapter 4. Prior to approving such uses, the Department may, in its discretion, set forth specific requirements or conditions to providing such services and/or require specific prior approval from appropriate regulatory agencies.

### SECTION 902. CUSTOMER'S ON-SITE RECLAIMED WATER SYSTEM

The Customer at his/her expense shall provide any on-site reclaimed water facility, and shall retain title to all such on-site facilities.

The construction of new or conversion of existing systems shall be inspected and Approved by the Department. Written approval must be obtained from the Department before operation of the system.

Part circle sprinklers shall be used adjacent to sidewalks, roadways, and Property Lines to confine the discharge from sprinklers to the desired area. All reclaimed water valves, outlets, and sprinkler heads should be of a type that can only be operated by authorized personnel. Hose bibs on reclaimed water facilities are strictly forbidden. Broken sprinkler heads, leaks, unreliable valves, etc. shall be repaired as soon as a malfunction becomes apparent.

Irrigation systems shall be operated and controlled to prevent direct human consumption. The system must remain a separate non-potable system. Under no circumstances will an actual or potential cross-connection between the Department's potable water supply and the reclaimed water system be allowed.

### 902.1 Public Notices

All reclaimed water valves and outlets shall be appropriately tagged to notify the customer that the water is not Approved for drinking or direct contact. Tank trucks used for carrying or spraying reclaimed water shall be appropriately identified. Notification should be provided to inform the public that reclaimed water is being used. Such notification shall include the posting of conspicuous warning signs with proper wording of sufficient size to

be clearly read. At golf courses, notices shall be printed on cards stating that reclaimed water is used, and all water hazards containing reclaimed water shall be posted with warning signs.

The customer shall notify the Department of any and all updates or proposed changes, modifications, or additions to the on-site facilities, which changes shall be Approved by the Department, and shall be designed and constructed according to the requirements, conditions, and standards of the Department.

#### 902.2 Potable Water Backflow Prevention Assemblies

Reduced pressure backflow prevention assemblies shall be installed on all potable water services that exist within the reclaimed water use area.

### SECTION 903. OPERATION AND MAINTENANCE OF CUSTOMER RECLAIMED WATER SYSTEM

The customer shall monitor and maintain the irrigation system to minimize equipment and material failure. The customer is responsible for any and all subsequent uses of the reclaimed water. On-site reclaimed water facilities must be operated to prevent or minimize discharge onto areas not under control of the customer. The following requirements shall apply:

- A. Discharge shall be confined to the area designated and Approved for reclaimed water reuse.
- B. Irrigation shall be controlled to minimize ponding, reduce possible odors, and prevent breeding of flies and mosquitoes.
- C. Cross-connections between potable water facilities and on-site reclaimed water facilities are forbidden.

Precautions shall be taken to insure that reclaimed water is not sprayed on walkways, passing vehicles, buildings, picnic tables, or domestic water facilities.

The customer shall irrigate in a manner that will minimize runoff and/or ponding. The application rate shall not exceed the infiltration rate of the soil. Timers shall be adjusted to be compatible with the lowest soil infiltration rate present.

Irrigation shall be done during periods when the grounds will have maximum opportunities to dry before use by the public unless provisions are made to exclude the public from areas during and after irrigation with reclaimed water. Watering outside this time frame must be done manually with qualified on-site supervisory personnel. No system shall be left unattended at any time during use outside the normal schedule.

### SECTION 904. SUPERVISION OF ON-SITE IRRIGATION

The operation and surveillance of on-site irrigation water systems, whether they are public or private, shall be under the management of an on-site irrigation supervisor designated by the customer and Approved by the Department.

The customer shall furnish the identity of the current irrigation supervisor to the City's Health and Human Services Department and the Department. The customer shall notify the Department of any changes in this position.

The irrigation supervisor shall be responsible for the installation and use of pipelines and equipment in accordance with the Rules, as well as applicable Federal, State, and local laws and regulations.

Although the irrigation supervisor shall oversee the day-to-day operations of on-site facilities, the Department reserves the right to enter the site for the purpose of inspecting on-site reclaimed water facilities and areas of reclaimed water use to ensure compliance with the Rules.

The Department may from time to time require that the irrigation supervisor obtain instruction in the use of reclaimed water, such instruction being provided by or Approved by the Department.

## SECTION 905. EMERGENCY PROCEDURES

Emergency modifications to the reclaimed water irrigation system may be made without prior approval of the Department to prevent contamination of potable water supplies and local water resources, or to prevent public health problems. As soon as practical, the customer shall notify the Department of such emergency modifications and file a written report on such modifications.

The customer shall report to the Department any and all failures in the system which cause an unauthorized discharge of reclaimed water. An immediate oral report must be followed by a written letter report.

In the event of contamination or pollution of the potable water system due to a cross-connection on the site, the local health officer and the Department shall be promptly advised by the irrigation supervisor so that appropriate measures may be taken to overcome the contamination or pollution.

### 905.1 Unavailability of Reclaimed Water

Due to circumstances beyond the control of the Department, or in order to protect the facilities of the Department, or for the protection of the public health, safety, and welfare of the residents or property owners, service may be interrupted on a temporary basis. If irrigation water is not available, the Department may, upon application by the customer, approve a temporary connection to the potable water system. The customer shall pay the costs of such connection at the rate established by the Board for potable water. Before such temporary connection is made, however, the on-site irrigation water facilities shall be disconnected from the off-site irrigation water facilities and an Approved backflow prevention assembly installed on the potable water line in accordance with Part 8 of these Rules. This emergency connection shall be removed before connection is reestablished to the off-site irrigation water supply.

## SECTION 906. WORKER PROTECTION

The customer shall educate his/her personnel of the presence of reclaimed water and the fact that it is not Approved for drinking purposes. This information shall be disseminated on a frequent basis. The customer shall furnish his/her operations personnel with maintenance instructions, controller charts, and "Record Drawings" to ensure proper operation in accordance with the irrigation system design and the Rules.

Employees of the customer shall not be subjected to reclaimed water sprays. For work involving more than a casual contact with reclaimed water, these employees shall be provided with protective clothing. Precautions shall be taken to avoid contamination of food

and beverage taken to areas irrigated with reclaimed water; food and beverage shall not be taken to areas still wet with reclaimed water.

#### SECTION 907. SCHEDULING THE TIME OF USE OF RECLAIMED WATER

The Department reserves the right to control and schedule the use of reclaimed water if, in the opinion of the Department, scheduling is necessary for purposes including but not limited to, the maintenance of an acceptable working pressure and supply in the reclaimed water system and providing reasonable safeguards in relation to public health. Guidelines for such scheduling shall be developed as deemed appropriate by the Department, based generally on shifting peak usage to non-peak usage.

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## **PART 10**

### **DEFINITIONS - SEWER**

#### **SECTION 1001. DEFINITIONS, TERMS AND PHRASES**

The following words have a meaning different from their meaning in Section 101 and the definitions of these words shall apply only to Parts 10 through 18 of these Rules. Words and phrases used in Parts 10 through 18, which are defined in Part 1 and which have no other meaning below shall have the meanings stated in Part 1.

**APPLICANT:** Any person who applies for a permit under Parts 10 through 18 of these Rules.

**APPROVED:** The approval of the Department.

**BILLING UNIT:** 100 cubic feet of water, equivalent to 748 gallons.

**BUILDING SEWER:** That portion of a Sewer Lateral beginning two feet from the exterior wall of a building or Foundation of a building and extending to its connection with the House Connection at the Property Line.

**CAPACITY CHARGE:** A charge imposed on Development for its proportionate share of Sewer facilities in existence at the time the charge is imposed and which charge does not exceed the reasonable cost of providing Sewer Service to such Development.

**CESSPOOL:** An excavation in the ground made for receiving crude Sewage and so constructed that the solid matter is retained and the liquid portion is permitted to seep away.

**CLEANOUT:** A Sewer fitting used to access a Sewer Lateral, or at the end of short sections of Sewer, generally for cleaning purposes.

**DEVELOPMENT:** (1) the construction, erection, reconstruction or use of any building for non-residential purposes, which requires the issuance of a Sewer permit pursuant to the Long Beach Municipal Code, and which results in the addition of Equivalent Fixture Units; and (2) the construction, erection, reconstruction or use of any building for residential purposes, which requires the issuance of a Sewer permit pursuant to the Long Beach Municipal Code and which results in the addition of one (1) or more Dwelling Units.

**DRY WELL:** An excavation in the ground made for receiving the overflow from a swimming pool or water tank.

**DWELLING UNIT:** One or more rooms designed, occupied, or intended for occupancy as separate, self-contained, permanent living quarters. Separate housing units are those in which occupants live and eat separately from any other person in the building. Each dwelling unit has direct access from outside the building or through a common hall. Any area with a direct exterior access, a bathtub or shower, and a room other than the bathroom, which can together be locked off from the remainder of the building, will be considered a dwelling unit.

**EFFLUENT:** Partially or completely treated Sewage flowing out of any Sewage treatment device.

**EQUIVALENT FIXTURE UNIT:** See the Long Beach Municipal Code.

**FLOATABLE OIL AND GREASE:** The oil and grease floating on the surface of the sample of water when it is retained for one hour in a quiescent condition in a vessel with vertical walls filled to a depth of twenty-six centimeters.

**FLOATING HYDROCARBON OIL:** The amount of hydrocarbon floating to the surface of a sample of water under the same conditions as prescribed in the definition of Floatable Oil and Grease.

**FORCE MAIN:** A pressure conduit that delivers Sewage discharge from a pumping station to its destination which may be a higher point in the Sewer collection system.

**FOUNDATION:** The spreading course at the base or bottom of a Foundation wall, column, or pier.

**GREASE CLARIFIER:** A device for collecting oil and grease from Sewage, usually from commercial kitchens and restaurants. Usually consisting of a stainless steel box and internal heating element to melt the grease and decant the liquefied grease and oil from the Sewage water, typically installed above ground near the kitchen sink.

**GREASE INTERCEPTOR:** A device for collecting oil and grease from Sewage, usually from commercial kitchens and restaurants. Usually consisting of a concrete box which is installed underground.

**HOUSE CONNECTION:** That portion of a Sewer Lateral which extends from the WYE or TEE branch or Saddle of a Main Line Sewer or other point of connection with a Main Line Sewer to the Property Line.

**INDUSTRIAL SEWER CONNECTION:** A Sewer Lateral used primarily for the discharge of Industrial Wastewater.

**INDUSTRIAL WASTEWATER:** Any water from an industrial process or from wholesale or retail establishments disposing of waste substances. Such process shall include production or refining of petroleum, petroleum products, processing of foods or beverages, the production of fertilizer, keeping of livestock and operation of dairies, manufacture of paper, production or dyeing of textiles, production of soap or detergents or chemicals, cleaning of tanks, tank cars or barrels, plating of metals, processing or reclamation of refuse, all kinds of manufacturing and other similar operations, the washing of equipment or spaces used in industrial operations, and the disposal of waste products contained in liquids from laundries, hospitals, grocery stores, restaurants and other public establishments.

Unless the Sewage contains the waste substances above described, Industrial Wastewater shall not include Wastewater resulting from the operation of hotels, motels, schools or other retail establishments other than those listed above, nor shall Industrial Wastewater include Wastewater from the operation of vehicle service stations, wash racks or garages. Industrial Wastewater shall not include any domestic Sewage from industrial or retail establishments.

**INDUSTRIAL WASTEWATER PRETREATMENT PLANT:** Any works or device for pretreatment of Industrial Wastewater prior to discharge into the Public Sewer.

**INSPECTOR:** The authorized Inspector, deputy, agent, or representative of the City or Department.

**INTERCEPTOR:** A device for retaining sand, silt, grit mineral material, petroleum solvent, grease or oil by gravity-differential separation from Wastewater and of a design and capacity Approved by the Department.

**LOT:** Any parcel or piece of land as bounded, defined or shown upon the latest map, plat or deed recorded in the Office of the County Recorder.

**MAIN LINE SEWER:** Any Sanitary Sewer, except a Sewer Lateral.

**NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT:** The currently applicable municipal discharge permit(s) issued by the Regional Water Quality Control Board, Santa Ana Region, which establishes waste discharge requirements applicable to storm water runoff in the City.

**ONSITE FACILITIES:** Facilities under the control of the Applicant, owner or customer including, but not limited to, residential, commercial, and industrial building domestic water, Sewerage and reclaimed water system. For domestic and reclaimed water, the on-site facilities shall be those downstream of the service connection, which shall normally be the downstream end of the meter tailpiece. For Sewer, the on-site facilities shall be those facilities upstream from the Sewerage service lateral connection to the Sewer Main, including any Force Main and Sewage ejector system.

**PRIVATE SEWAGE DISPOSAL SYSTEM:** A Septic Tank, Cesspool, Seepage Hole or such other facilities as may be permitted under Parts 10 through 18.

**PRIVATE SEWER:** A Sanitary Sewer constructed, owned, operated, and maintained by a private party or parties, other than a Sewer Lateral, to serve one or more buildings which are not immediately adjacent to a Public Sewer so as to connect the building or buildings to a Public Sewer, and irrespective of whether the Sewer is constructed in public or private property. A Force Main pumping Sewage from any private building to the mainline Sewer shall be considered to be a Private Sewer.

**PROHIBITED DISCHARGE:** Any discharge which contains any pollutant, from public or private property to:

- the Storm Drain system;
- any upstream flow, which is tributary to the Storm Drain system;
- any groundwater, river, stream, creek, wash or dry weather arroyo, wetlands area, marsh, coastal slough; or
- any coastal harbor, bay, or the Pacific Ocean.

**PROPERTY LINE:** The division between a parcel of land and the public right of way.

**PUBLIC SEWER:** The Main Line Sewer, constructed in a street, highway, alley, place, or right-of-way, dedicated to public use. Public Sewer does not include a Sewer Lateral or a Private Sewer.

**SADDLE:** The fitting installed on a Main Line Sewer by cutting a hole in the Sewer Main and installing a prefabricated fitting acting as a WYE or TEE.

**SANITARY SEWER:** A Sewer that carries liquid and water-borne wastes from residences, commercial buildings, industrial plants, and institutions, together with minor quantities of storm, surface, and groundwaters that are not admitted intentionally.

**SEEPAGE HOLE:** An excavation in the ground made for receiving only a clarified Effluent and into which no crude Sewage is permitted to flow.

**SEPTIC TANK:** An Approved watertight tank or compartment for use in eliminating, disposing, digesting or reducing solid substances in Sewage before disposing of the Effluent in a Cesspool, Seepage Hole or leaching system.

**SEWAGE:** Any waterborne waste transported by the Public Sewer, except storm water, groundwater, roof or yard drainage, and including domestic Sewage, Industrial Wastewater, and Wastewater or contaminated water of any origin.

**SEWAGE TREATMENT PLANT:** Any works or device for treating Sewage, except a Septic Tank.

**SEWER / SEWER MAIN:** A pipe or conduit that carries Wastewater or drainage water.

**SEWER LATERAL:** Pipe system that carries Sewage from a Structure via the combination of a House Connection and a Building Sewer.

**SEWER SYSTEM:** The City system for transporting Sewage, including but not limited to pipes, mains, Interceptors, manholes, pump stations, and appurtenances necessary for the collection, transportation, and removal of Sewage to an appropriate plant for treatment but excluding Building Sewers, Private Sewage Disposal Systems, and the Los Angeles County Sewage Treatment Plant.

**SEWER PUMPING PLANT:** Any works or device used to raise Sewage from a lower to a higher level or to overcome friction in a Sanitary Sewer System.

**SEWER SERVICE:** The availability of Sewage disposal by connection to the City Sanitary Sewer System.

**STORM DRAIN:** A Sewer that carries storm and surface water, street and other wash waters, or drainage, but excludes domestic Wastewater and industrial wastes.

**STRUCTURE:** An edifice or building of any kind, or any piece of work artificially built up or composed of parts jointed together in some manner.

**TEE:** A fitting on a Sewer Main for the purpose of joining a perpendicular House Connection.

**TRAP:** Any Approved equipment or appliance for sealing an outlet from a Sewer Lateral to prevent the escape of Sewer gas from a Main Line Sewer through a Sewer Lateral.

**TRUNK SEWER:** In larger systems, the principal Sewer to which branch Sewers and submains are tributary; also called main Sanitary Sewer. Any Main Line Sewer 15-inches in diameter or greater.

**VCP:** Vitrified Clay Sewer Pipe.

**WASTEWATER:** Any water from the operation of vehicle service stations, wash racks or garages, but not including domestic Sewage.

**WYE:** A fitting on a Sewer Main for the purpose of joining a House Connection that is not perpendicular to the Sewer Main.

## PART 11

### GENERAL SEWER REQUIREMENTS AND PROVISIONS

#### SECTION 1101. CONDITIONS OF SEWER SERVICE

Sewer Service provided by the Department is subject to these Rules. All customers shall accept service subject to such Rules, City ordinances, and State laws. Any Customer not in compliance with these Rules may be subject to discontinuation of sewer service.

Sewer Service is subject to shutdowns as required by the Department to make improvements or repairs to the Sewer System.

The Department will enforce all of the provisions of Parts 10 through 18. Such powers shall not limit or otherwise affect the powers and duties of the City's Health Officer or other persons authorized by law to make inspections.

#### SECTION 1102. PERMITS

Only employees of the Department in the performance of their duties shall construct or alter a Public Sewer, a Sewer Pumping Plant, a Private Sewer in a public street, a House Connection, or make a connection from a Building Sewer to a House Connection without first obtaining a permit from City or the Department. Only persons holding a permit issued by the Public Works Construction Management Division at the Development Services Center of the City's Planning and Building Department, or other administrative official of the City authorized to issue such permit, shall construct or alter any Private Sewer on private property, Building Sewer, Sewage Treatment Plant, Private Sewer System, Sewer Pumping Plant, industrial pretreatment plant, Interceptor, or other similar appurtenances or devices in the City.

No permit shall be issued to any person for construction of a Main Line Sewer or for connection of a lateral to a Trunk Sewer unless the Applicant prepares plans and specifications signed and stamped by a registered civil engineer and reviewed by the Department.

No permit shall be issued to any person to construct or alter any Sewer within a public street unless the person holds a valid Sewer contractor's license, except that a permit shall be issued to:

- A. A person holding a permit issued by the Public Works Construction Management Division at the Development Services Center of the City's Planning and Building Department, authorizing the installation of a Building Sewer, or who may be issued a permit to connect the Building Sewer to the House Connection on private property or at the Property Line;
- B. A county sanitation district when the work is to be performed by employees or contractors of the Sanitation Districts of Los Angeles County.

#### SECTION 1103. INDEMNIFICATION

The permit shall provide that the person to whom a permit is granted shall defend, indemnify, and hold harmless the City, the Board, their officials, agents and employees, from and against any and all claims, damage, liability, causes of action, demands, loss, cost, and expense of any kind or nature arising out of or in any manner connected with any work authorized under the permit.

## SECTION 1104. APPLICATION FORM

The City or Department shall furnish to an Applicant for a permit under Parts 10 through 18 a printed form of application. The Applicant shall furnish all information which is necessary to complete the form and, if necessary, shall furnish such additional information as may be required by the City or Department so as to enable it to determine whether the proposed work or use complies with the provisions of Parts 10 through 18, and other statutes and ordinances pertaining to such work or use.

## SECTION 1105. ISSUANCE

If it appears from the application for a permit required by Parts 10 through 18 that the work to be authorized thereunder is to be performed according to the provisions and all other statutes or ordinances pertaining to such work or use, the City or Department, upon receipt of the charges and deposits required in Parts 10 through 18, and the furnishing of the insurance required by Parts 10 through 18, shall issue the permit.

## SECTION 1106. INSURANCE

Any application for a permit to make an excavation in a public street or other public place, under the provisions of Parts 10 through 18, shall procure and maintain at Applicant's expense during the duration of the permit from an insurer admitted in California or having a rating of or equivalent to A:VIII in Best's Insurance Guide comprehensive general liability insurance with a combined single limit of at least One Million Dollars (\$1,000,000) for each occurrence or Two Million Dollars (\$2,000,000) general aggregate. City, the Board, their officials, employees, and agents shall be covered as additional insureds with respect to liability arising from Applicant's operations authorized by the permit. Said insurance shall be primary insurance with respect to City and Board and shall contain a cross liability endorsement.

Prior to issuance of the permit, Applicant shall deliver to the Department certificates of insurance with original endorsements evidencing the coverage required herein. The certificates and endorsements shall be signed by a person authorized to bind coverage on the insurer's behalf. Department reserves the right to require complete certified copies of all policies at any time.

The insurance shall contain an endorsement requiring thirty (30) days' prior written notice from insurer to City before cancellation or change of coverage.

The insurance may provide for deductibles or self-insured retention that is acceptable to the City or Department. In the event said insurance does provide for deductibles or self-insured retention, Applicant shall fully protect City, the Board, their officials, employees, and agents in same manner as these interests would have been protected had the policy not contained deductibles or retention provisions. With respect to damage to property, City and Applicant hereby waive all rights of subrogation, one against the other, but only to the extent that collectible commercial insurance is available for said damage.

## SECTION 1107. PLANS OF MAIN LINE SEWERS AND INDUSTRIAL CONNECTION SEWERS

An application for permission to construct a Main Line Sewer or an industrial connection Sewer shall be accompanied by plans and specifications signed and stamped by a registered civil engineer. The Department shall check the plans and specifications and, if they comply with all applicable statutes and ordinances and conform to the standards of design fixed by Parts 10 through 18, the Department shall approve the plans. No permit shall be issued to any person without the approval of the plans and specifications by the Department.

#### SECTION 1108. SPECIAL SEWER LATERAL

The Department may require that a permit for a Sewer Lateral be applied for as a Main Line Sewer if the proposed Sewer Lateral has a slope of less than one-fourth inch per foot or there are obstructions in the public street that will interfere with the installation.

#### SECTION 1109. MAIN LINE TAPPING

Only an official, agent, or employee of the City, or the Board, or a person authorized by the City or the Board, shall tap a Main Line Sewer. If a person desires to connect a House Connection to a Main Line Sewer and, in the opinion of the Department, no suitable WYE or TEE exists to which the connection may be made, the person shall file an application with the Department to have a Saddle installed.

#### SECTION 1110. SEWER LATERAL ABANDONMENT

Before the use of any Sewer Lateral is discontinued, the person discontinuing the use, or some person authorized by him to do so, shall apply for, and obtain from the Department, a permit to cut and cap the Sewer. The permit shall specify the manner in which the Sewer is to be cut and capped and the person to whom the permit is issued shall comply with the provisions of the permit.

#### SECTION 1111. SEWERS IN COUNTY HIGHWAYS

An Applicant for the construction, installation, repair, or removal of any Sewer or appurtenance thereto which necessitates an excavation or fill in, upon or under any highway under the jurisdiction of the Los Angeles County Road Commissioner shall, at the time he files application with the Department, accompany the application with a permit issued by the Road Commissioner authorizing the construction, installation, repair, or removal of the Sewer or appurtenance thereto.

#### SECTION 1112. SEWERS IN STATE HIGHWAYS

An Applicant for the construction, installation, repair, or removal of any Sewer or appurtenance thereto which necessitates an excavation or fill in, upon or under any state highway, shall, at the time an application is filed with the City or Department, have a permit issued by the State Department of Transportation, authorizing the construction, installation, repair, or removal of the Sewer or appurtenance thereto and shall attach a copy to the application.

#### SECTION 1113. NON-TRANSFERABILITY OF PERMITS

Permits issued under Parts 10 through 18, except permits for the disposal of Industrial Wastewater, are not transferable. A Sewer connection shall not be made at any place other than the location specifically designated in the permit provided. However, if the construction or installation is fully completed pursuant to a permit issued under the provisions of Parts 10 through 18, the successor in interest of the facilities so constructed shall not be required to obtain a permit to use the facilities. The successor in interest in the use of the facilities shall be obligated to comply with all of the other provisions of Parts 10 through 18.

#### SECTION 1114. WARNING LIGHTS AND BARRIERS

Any person to whom a permit has been issued pursuant to Parts 10 through 18 authorizing the occupancy of the public right-of-way shall keep and maintain barriers at the permit location to prevent accidents. The person occupying the public right-of-way shall place and maintain such lights as may be necessary to warn the public. The barrier lights shall be

maintained until the public right-of-way has been cleared. Any light required under this Section shall be in place between sunset and sunrise of the next day. Should a permittee fail to place and maintain the required barriers and lights, the City or Department may place and maintain such barriers and lights as may be necessary to prevent accidents. If the City or Department places lights or barriers at the site of the improvement, the permittee shall reimburse the City or Department for the actual costs incurred.

#### SECTION 1115. IDENTIFICATION REQUIRED

Every person which occupies the street under a temporary street occupancy permit shall have his name, address and telephone number affixed to the temporary Structure, barriers, or vehicle in a location where such information may be easily seen by the public.

#### SECTION 1116. RATES AND REFUNDS

All customers shall pay the daily rates and volumetric rates set forth in Appendix B. Some customers shall pay the Sewer Capacity Charge set forth in Part 18 hereof.

Refunds for daily rate and volumetric rate charges shall be made in accordance with California Government Code Section 53082. Refunds for Sewer Capacity Charges shall be made in accordance with Part 18 hereof.

An industrial Customer can request that the Department grant a reduction of the Sewer usage charge if the majority of the Customer's potable metered water does not enter the Sewer System. The General Manager has the authority to grant such request after the Department's field investigation and confirmation. The reduction can only be made retroactive to the date of such request and the refund will be made by credit against the Customer's future bills.

The Department may bill the Customer for the cost of the investigation if the request is denied.

#### SECTION 1117. COST SHARING POLICY FOR TRANSMISSION MAIN RELOCATION

For cost sharing policy for Sewer Main relocations larger than 15-inches in diameter, refer to Section 303.

## **PART 12**

### **SEWER CHARGES**

#### **SECTION 1201. ORIGINAL PERMIT CHARGES**

Except as provided in Parts 10 through 18, the Applicant for a permit shall, prior to the issuance of the permit by the Department, pay to the City for original permit charges, the sum set forth in the Sewer permit and inspection charge schedule. Permits are issued and charges collected on behalf of the Department at the Development Services Center in the Long Beach City Hall at 333 West Ocean Boulevard.

#### **SECTION 1202. MISCELLANEOUS**

- A. In lieu of the original permit charge, and where applicable, an Applicant shall pay to the City, prior to the issuance of a permit, the sum set forth on the Sewer permit and inspection charge schedule.
- B. The permit charges stated on the Sewer permit and inspection charge schedule shall entitle the Applicant to only one inspection. The Applicant shall pay an additional charge, set forth in the Sewer permit and inspection charge schedule, for each subsequent inspection that may be deemed necessary by the Department, whether or not specifically requested by the permittee.

#### **SECTION 1203. PROPORTIONATE CONSTRUCTION CHARGES**

Whenever an Applicant applies for a permit to connect a Sewer Lateral to a Main Line Sewer where the Main Line Sewer was constructed and installed out of funds provided by the City, no permit shall be issued authorizing the connection Sewer Lateral Main Line Sewer until the property owner or his/her agent has paid to the City a charge in an amount estimated by the City or Department to be a proportionate share of the cost of construction or required upgrade of the Main Line Sewer.

#### **SECTION 1204. DEFERRED PAYMENTS**

Whenever a property owner is required to pay a charge for the proportionate share of the cost of a Main Line Sewer, as provided in Section 1203, the property owner may file a duly executed affidavit with the Department and request permission to pay the charge in monthly installments. The affidavit shall specifically set forth reasons why the payment of the charge in a lump sum will cause undue hardship, shall list all of his/her assets and liabilities and shall contain such other information as may be requested by the Department. If the Department determines that the property owner is unable to make a lump sum payment, or that the payment thereof will impose undue hardship on the property owner, the Department may permit the payment of the charge in installments, provided that the property owner executes and delivers to the Department a promissory note payable to the City. The promissory note shall provide for equal monthly payments over a period not to exceed eighteen months from and after the date of execution, shall bear interest at the rate of ten percent per annum on the unpaid balance and shall provide that the first payment on the note shall be made within thirty days from the date of execution thereof.

## SECTION 1205. INSPECTION AND RECORD PLAN DEPOSIT

- A. At the time an Applicant applies for a permit for the construction of a Main Line Sewer, a Sewage Treatment Plant and Interceptor, a Sewer Pumping Plant, an Industrial Wastewater pre-treatment plant, or an Industrial Sewer Connection, and, if the construction is other than that required in connection with the improvement of a subdivision, the Department shall prepare a cost estimate consisting of the following items:
1. Processing of engineering plans and specifications, including engineering studies and field and office investigation;
  2. Field inspection of the proposed construction;
  3. Procuring and preparing of record plans;
  4. Making tests of materials in accordance with specifications;
  5. All overhead and indirect costs.
- B. If the work is associated with the Development of a subdivision, the Department shall prepare a cost estimate consisting of the following items:
1. Field inspection of the proposed construction;
  2. Making tests of materials in accordance with specifications;
  3. All overhead and indirect costs associated with the construction activities.
- C. Where the construction is associated with a subdivision the Department's cost of checking plans and maps shall be estimated and collected by the Department.
- D. Before the issuance of any such permit, the Applicant shall deposit with the Department the amount of the estimate. If the Applicant has obtained a permit for the construction of a Main Line Sewer and the Applicant, as a part of the construction, is to install House Connection(s) prior to the acceptance of the Main Line Sewer for public use, the Applicant shall deposit the charges for the House Connection permits with the Department, and the Department may issue permits for the House Connection as may be requested. The permits shall authorize the laying of House Connections to points not less than two feet from the existing or proposed termini of Building Sewers leading from the buildings to be served. After the main line and House Connection(s) have been completed and accepted, a person desiring to connect the building to a House Connection shall file an application and request that permission be granted to install connecting pipes between the House Connection as constructed and the building.
- E. If the actual cost to the City for checking plans, inspecting construction, testing lines for cleanliness, preparing record plans, supervision, mileage, and other incidental expenses exceeds the amount deposited by the Applicant, the Department shall notify the Applicant, and Applicant shall forthwith pay the amount of the deficiency to the Department. If the actual cost is less than the amount deposited by the Applicant, the unused portion of the deposit shall be refunded to the Applicant in the manner provided by the Department for the refund of deposits.

## SECTION 1206. FORFEITURE OF CHARGES AND DEPOSITS

Any permit issued for the installation of a House Connection, a Building Sewer, an Interceptor, or other similar appurtenances, shall expire thirty days after the date of issuance. If any work authorized by the permit has not been completed within the thirty-day period, a new permit must be applied for and obtained from the Department before work is resumed on the installation. Upon the expiration of the permit, all charges or deposits made by the Applicant shall be forfeited to the Department, except the charge paid to the City pursuant to the provisions of Section 1203.

## SECTION 1207. CHARGE EXEMPTIONS

If the Applicant for a permit under Parts 10 through 18 is the United States of America, the state, the City, a county, a public school district, a sanitation district, or a commission, board, agency or contractor thereof, such person shall not be required to pay any charge for the permit or make any deposit required on Parts 10 through 18. If a contractor constructs Public Sewers and appurtenances under contracts awarded and entered into under proceedings or taken pursuant to any special procedure statutes of this state, county, or City providing for the construction of Sewers and the assessing of expenses thereof against the lands benefited, the contractor shall not be required to pay the permit charge or make any deposit required in Parts 10 through 18. The waiving of such charges and deposits shall not excuse any person from obtaining a permit for work, furnishing the insurance or complying with all other requirements of Parts 10 through 18.

#### SECTION 1208. DOUBLE CHARGES

If any person starts any work requiring a permit under Parts 10 through 18 prior to obtaining a permit authorizing such work, the charges to be paid by the Applicant shall be doubled, except the charge required to be paid under Section 1203. The payment of such double charges shall not relieve any person from fully complying with all of the provisions of Parts 10 through 18, nor relieve such person from the penalties prescribed for violation of Parts 10 through 18.

#### SECTION 1209. RECORD OF CHARGES AND DEPOSITS

The Department shall keep a permanent and accurate account of all charges and deposits received under Parts 10 through 18 and show thereon the name and address of the persons paying the charges or making the deposits, the date and amount of the charges and deposits.

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## **PART 13**

### **INDUSTRIAL WASTEWATER DISCHARGE**

#### **SECTION 1301. STANDARDS FOR DISCHARGE**

No person shall discharge Industrial Wastewater into a Main Line Sewer unless the Industrial Wastewater conforms to the following requirements:

- A. The content of total oil and grease shall not exceed six hundred milligrams per liter;
- B. The content of Floatable Oil and Grease shall not exceed twenty-five milligrams per liter;
- C. The content of floatable hydrocarbon oil shall not exceed ten milligrams per liter;
- D. The standard five-day biochemical oxygen demand shall not exceed one thousand milligrams per liter;
- E. The suspended solids content shall not exceed one thousand milligrams per liter;
- F. The dissolved sulfide content shall not exceed one tenth of a milligram per liter;
- G. The pH shall not be below six (6.0).

#### **SECTION 1302. INDUSTRIAL WASTEWATER PERMIT REQUIREMENTS**

- A. Before any person discharges any Industrial Wastewater into a Public Sewer, such person shall apply to the Department for an Industrial Wastewater permit from the Sanitation Districts of Los Angeles County for each industrial connection. The Applicant shall submit the permit application to the Department and pay a processing fee as set forth in Appendix B.
- B. The Applicant for an Industrial Wastewater permit shall set forth such information as to the nature and scope of the industrial operation, the quantity and characteristics of such Wastewater, detailed plans for any pretreatment facilities planned to prevent discharge of improper materials into the Sewer, together with such other information as may be required by the Department and Sanitation Districts of Los Angeles County.
- C. The Department may issue a revocable permit if it finds from the application and from such other investigation as the Department desires to make or causes to be made, that the quality of the Industrial Wastewater from the facilities of discharge conform to Parts 10 through 18, the provisions of these Rules and other applicable statutes.

#### **SECTION 1303. SAMPLING AND MONITORING REQUIREMENTS**

- A. The Department may require the Applicant for an Industrial Wastewater permit to install a manhole or sampling compartment before discharging into the Public Sewer. The manhole or sampling compartment shall be available and accessible at all times to the Department or other persons authorized by law to make such inspections. The piping to and from the manhole or sampling compartment shall be arranged so that observations may be made of all of the Industrial Wastewater flow

prior to admixture with domestic Sewage and so that the Industrial Wastewater flow may be plugged off without impeding the flow of domestic Sewage.

- B. The Department may require the Applicant for an Industrial Wastewater permit to install a flow measuring device and/or pH recording equipment. The Department may require that the Applicant provide, at his/her own expense, an inspection report of the quality of the industrial liquid waste or performance of Industrial Wastewater pretreatment facilities by an impartial third party. The Department may require that the Applicant submit routine reports regarding the nature and amount of materials processed by the industry and such other information as the Department may find necessary to evaluate the effect of Industrial Wastewater on the Sewer System.
- C. The Department may require that the Applicant or operators of an Interceptor comply with the Sewer inspection and cleaning requirements established in Section 1607.

#### SECTION 1304. CHANGE IN PERMIT CONDITIONS

The Applicant shall request that a new permit be issued if there are any process modifications that deviate from the permitted conditions. These modifications may include any alterations in pretreatment facilities, alteration of connections to the Sewer and discharging additional streams or different kind of Industrial Wastewater into a Main Line Sewer.

#### SECTION 1305. WASTEWATER DISPOSAL PERMIT REQUIREMENTS

A person shall apply and obtain from the Department a revocable Wastewater disposal permit before discharging any Wastewater into a Public Sewer. The information requirements for this application are similar to those of an Industrial Wastewater permit as described in Section 1302.

The failure of the operator to keep the Interceptor, pumping or treatment system in proper working condition shall constitute grounds for termination of the revocable permit and the capping or plugging of the Wastewater Sewer.

#### SECTION 1306. GREASE TRAP REQUIREMENTS

All restaurants, commercial kitchens, and facilities where food is prepared and served to the public shall install and maintain an Approved grease trap so as to prevent excessive discharges of grease and oil which could result in Sewer blockage. Three departments within the City have coordinated their efforts to establish a policy to detail the requirements for the design and installation of devices that trap grease. These departments are the Health and Human Services Department, the Planning and Building Department, and the Water Department.

A grease trap could be a Grease Interceptor or a grease recovery device. In most instances, the Applicant shall install a Grease Interceptor in accordance with the Rules. In special circumstances, with the Department's prior written approval, the Applicant may install a grease recovery device. In either case, garbage disposals and dishwashers must be plumbed downstream of the grease trap.

##### 1306.1 Grease Interceptors

Grease Interceptors are designed and constructed to retain floating material such as grease and oils and are typically concrete box Structures located outside, but usually adjacent to, the building containing the source of the grease (e.g., restaurant, cleaning room, vehicle wash, vehicle or equipment servicing and/or cleaning facility, etc.).

- A. General Information:
  - 1. Kitchen fixtures that are required to discharge into a Grease Interceptor include pot sinks, and floor drains.
  - 2. Vehicle or equipment servicing and/or cleaning facilities must also discharge into a Grease Interceptor.
  
- B. Installation/Location Criteria: In all cases where the Uniform Plumbing Code is more stringent than these Rules, the Uniform Plumbing Code shall apply.
  - 1. The Grease Interceptor shall be installed below ground outside, but adjacent to, the food preparation facility or other locations Approved by the Health and Human Services Department and/or Planning and Building Department.
  - 2. The Grease Interceptor shall be installed and connected so that it is easily accessible for inspection, cleaning, and removal of the grease.
  - 3. In exceptional cases, as determined by the Department, where space limitations do not permit on-site installation of a Grease Interceptor, encroachment into public rights-of-way may be allowed. Applicants shall request permission to encroach into a public right-of-way from the City's Department of Public Works and, on receiving permission to encroach, applicant or applicant's contractor shall obtain the necessary permit to work within a public right-of-way.

### 1306.2 Grease Recovery Devices

Grease recovery devices are generally located within the building and typically consist of a stainless steel chamber which traps the solid grease, and a mechanism for separating the grease from the Wastewater stream and holding it in a separate chamber, or stand alone container.

- A. General Information: A grease recovery device must be listed by the following agencies:
  - 1. International Association of Plumbing and Mechanical Officials (IAPMO).
  - 2. National Safety Foundation (NSF) by December 31, 1995.
  - 3. Underwriters Laboratory (UL)
  
- B. Installation/Location of Device: The following requirements apply to all grease recovery devices.
  - 1. No static grease traps will be Approved in a food preparation area.
  - 2. The Health and Human Services Department must approve the location of the grease recovery device, usually below or near the kitchen sink.
  - 3. The device must have a dedicated area and be installed within four feet of the sink's outlet. Nothing can be placed in this area but the grease recovery device.
  - 4. There must be four inches of clearance between the floor and the device.
  - 5. There must be a backwater check valve installed immediately downstream of the grease recovery device to prevent Wastewater from backing up into the unit.
  - 6. Per the Uniform Plumbing Code (1997) Section 10.15, dishwashers should not be plumbed to discharge into the grease recovery system.

## SECTION 1307. OPERATOR'S RESPONSIBILITY

The operator of the food facility shall maintain or cause to be maintained proper operation of the grease trap by performing cleaning and preventive maintenance, as necessary. Failure to prevent grease from entering the Sewer System may result in operator paying all costs associated with the response and cleaning of the Sewer System and liability for any private losses or damages incurred by the stoppage in the Sewer System. Failure to take

the necessary corrective action to prevent future occurrences of grease discharge to the Sewer System will result in the shut-off of water services per Section 206.

- A. If there is an existing grease trap the operator must ensure that it is adequately and properly designed for the site. The operator may need to upgrade or make improvements if the grease trap is found by the Department to be deficient.
- B. The operator must properly and regularly maintain the grease trap and keep records of registered haulers' manifests. These records shall be presented to the Department's authorized Inspector on request.
- C. If an existing facility does not have a grease trap, the operator can call the Department for special programs or advice for installing grease traps in existing sites.
- D. If an existing facility does not have and fails to install a grease trap, the operator shall make arrangements to clean the Sewer. If the operator still fails to take action after receiving a "Notice of Non-Compliance," the Department will make arrangement to have the Sewer cleaned by a private contractor. The Department will bill the operator for the cost plus a 35% administrative fee.
- E. If the operator fails to prevent grease from entering the Public Sewer, the operator shall pay for all costs associated with the inspection, videotaping, and cleaning of the Public Sewer as well as indemnify the Department for any losses or damages claimed by third parties and resulting from the stoppage in the Sewer System.

#### SECTION 1308. GENERAL INTERCEPTOR REQUIREMENTS

Each car wash and vehicle or equipment servicing or cleaning facility shall install an appropriate sand, grease, and oil Interceptor of a size and design Approved by the Department.

- A. The Department may require that all Industrial Wastewater discharged from such facilities into a Sewage system is routed through an Interceptor. The Applicant shall design, construct, and maintain such Interceptor with the approval of the Department. The Interceptor shall at all reasonable times be available and accessible to the Department or other persons authorized by law to make such inspections.
- B. An Interceptor will not be considered as properly maintained if sand and oil accumulations total more than twenty-five percent (25%) of the operating fluid capacity. The operator shall keep maintenance records and registered haulers' manifests. The Department will review these records. Failure by the operator to maintain the Interceptor and keep adequate records could result in enforcement actions.

#### SECTION 1309. EXISTING INTERCEPTORS

Any Interceptor properly installed shall be acceptable as an alternative to the Interceptor required in Section 1308 if such Interceptor is effective in removing sand and oil and is so designed and installed that it may be inspected and properly maintained. If the Department finds that the Interceptor is incapable of retaining sand and oil adequately in the Wastewater flow, the users shall correct such deficiency within one month after receiving written notice from the Department. If the inadequate condition persists, the Department shall refuse to issue a Wastewater disposal permit until an Interceptor which meets the requirements of Parts 10 through 18 of these Rules is provided.

## SECTION 1310. PERMIT REVOCATION

If the Department finds that the Applicant has not complied with the provisions of the permit, or has failed to comply with the provisions of Parts 10 through 18, or other applicable ordinances or statutes governing the discharge of Wastewater into a Public Sewer, or such person supplied false or misleading information in the application or if the discharge of Wastewater into a Main Line Sewer causes a nuisance in the operation of a Main Line Sewer, the Department may give such person a thirty-day notice, in writing, specifying the manner in which such person has failed to comply with the provisions of the permit, or the manner in which the discharge constitutes an unreasonable burden in the operation of a Main Line Sewer. If the person within the time specified in the notice does not remedy the condition or conditions specified in the notice, the Department may revoke the permit and cause to be capped the Wastewater outlet so that Wastewater will not be discharged into a Main Line Sewer.

## SECTION 1311. INADEQUATE FACILITIES

If, after a Wastewater or Industrial Wastewater disposal permit has been issued, the Department ascertains that the capacity of the Main Line Sewer into which the Wastewater or Industrial Wastewater is discharged is insufficient to handle the additional Sewage authorized by the permit, the Department may, after the delivery of at least a thirty-day notice in writing to the Applicant, either:

- A. Cancel the permit previously issued authorizing the discharge of Industrial Wastewater or Wastewater into a Main Line Sewer;
- B. Modify any such permit by reducing the amount of Industrial Wastewater or Wastewater which may be discharged into a Main Line Sewer; or
- C. Limit the period of time during which Industrial Wastewater or Wastewater may be discharged into a Main Line Sewer.

## SECTION 1312. MAINTENANCE COSTS

If the discharge of Wastewater or Industrial Wastewater into a Main Line Sewer pursuant to a permit issued by the Department results in increased Sewer Maintenance costs to the Department, the Applicant shall reimburse the Department within fifteen (15) days after receipt of an invoice from the Department for any increase in maintenance costs resulting from such discharge.

## SECTION 1313. GARBAGE DISCHARGE

Garbage resulting from the preparation of food or drink or any other source may not be discharged into any Main Line Sewer unless it is ground to a fineness sufficient to pass through a 3/8-inch screen. Ground garbage shall be discharged by flushing with water not exceeding one hundred degrees Fahrenheit in temperature, directly through a Trapped outlet into the house Plumbing leading to the Main Line Sewer.

## SECTION 1314. FLUSHING CONNECTIONS

Every Industrial Wastewater pretreatment plant shall be equipped with an adequate fresh water supply easily available for diluting and flushing. All Sewer connections shall be thoroughly flushed after discharge of Industrial Wastewater.

## SECTION 1315. VEHICLE WASH RACKS

No person operating a vehicle wash rack shall permit any rain water or effluent therefrom to flow into any public sewer or sewer lateral unless the wash rack is so constructed that rain

water and surface drainage will not flow into the wash rack area. The wash rack shall meet all of the requirements of Parts 10 through 18, unless the Department approves exceptions thereto.

#### SECTION 1316. SERVICE OF NOTICE

Service of any notice required herein shall be made by depositing said notice in the United States Postal Service, first class, postage prepaid, addressed to the person at the address shown on the relevant permit.

## PART 14

### SEWER USE

#### SECTION 1401. DISCHARGES PROHIBITED

Except as provided in Parts 10 through 18, no person shall discharge or cause to be discharged into any Public Sewer or into any opening of any Public Sewer in the City the following:

- A. Earth, sand, rocks, ashes, gravel, plaster, concrete, glass, metal filings, metal objects, other materials which will not be carried by the Sewer stream, anything which may obstruct the flow of Sewage in the Sewer, or any object which will cause clogging of a Sewage pump or a Sewage sludge pump;
- B. Any garbage which has not been first shredded so that each particle is not more than 3/8-inch in any dimension or any garbage containing broken glass;
- C. Any solid or semisolid material such as garbage, trimmings, cuttings, offal or other waste produced in the processing of meats, fruits, vegetables, foodstuffs or similar materials except garbage produced which meets the requirements of Parts 10 through 18;
- D. Any volatile liquids or substances which can produce toxic or flammable atmospheres in the Sewer;
- E. Any compounds which may produce strong odors in the Sewer or Sewage Treatment Plant;
- F. Any storm water or runoff from any roof, yard, driveway, street or pump station, except where prior approval has been given by the Chief Engineer;
- G. Any materials which will cause damage to any part of the Sewer System, abnormal sulfide generation, abnormal maintenance or operation costs of any part of the Sewer System, or which may cause any part of the Sewer System to become a nuisance or a menace to public health or a hazard to workers or which will cause objectionable conditions at the final point of disposal of the Sewage;
- H. Any liquid having a temperature in excess of one hundred twenty degrees Fahrenheit;
- I. Unpolluted water from refrigeration systems, air conditioning systems, industrial cooling systems, swimming pools or other unpolluted water from any origin except as authorized by the Department;

- J. Any radioactive waste which constitutes, or may constitute a public health hazard or endanger workmen charged with the maintenance of Public Sewers.

The owner is liable for any uncontrolled discharge into the City Sewer System or public property. When the Department finds that the owner is unable to prevent an uncontrolled discharge into the City Sewer System or public property within one (1) hour, the potable water service will be disconnected and the Health Department will be notified.

#### SECTION 1402. APPROVAL REQUIRED PRIOR TO OCCUPANCY

No person shall use or occupy any building or Structure in the City for which any Sewer has been constructed unless the Sewer has been inspected and Approved by an authorized Inspector.

#### SECTION 1403. CONNECTIONS IN UNDEDICATED STREETS

No person shall connect or cause to be connected any Sewer which has been or may hereafter be constructed in any proposed street, highway, alley, right-of-way, or other place which is intended to be dedicated to public use, with the Sewer System unless the Sewer has been constructed to the satisfaction of the Department and, if located within the City at the time construction is started, pursuant to a permit issued by the Department.

#### SECTION 1404. SEVERAL STRUCTURES ON ONE LOT

When a Lot or parcel of land is of sufficient size that the zoning requirements do not prohibit its division into smaller parcels, each of such possible parcels upon which one or more buildings containing Plumbing fixtures are, or may be, located and used separate and apart from other buildings or other Structures shall be considered as a separate parcel of land and separate connections shall be made to the Main Line Sewer from each such possible parcel. If a Main Line Sewer is adjacent to a portion of the parcel of land but is not immediately adjacent to the smaller portion thereof on which the building is located, then the property owner shall construct a Main Line Sewer so that the building may be adequately served by the Public Sewer. Every building or Structure which contains any Plumbing fixtures shall be separately and independently connected to a Main Line Sewer with a Sewer Lateral, except when more than one building or other Structure is situated upon the same Lot or parcel and all of the buildings and Structures are owned by the same person, then the buildings may be connected to a Main Line Sewer by a single Sewer Lateral.

#### SECTION 1405. BUILDING SEWER CONNECTION ACROSS ANOTHER LOT

No Building Sewer shall hereafter be joined to the Sewer System unless the building or Structure is entirely located upon the Lot upon which the building or Structure is located unless it is impossible or impractical to make such a connection. If a Lot or parcel of

land requiring a Building Sewer is so situated that access to the Sewer System is not possible except across some other Lot or parcel of land, a Building Sewer may be constructed if an easement can be obtained from the owner of the land. The application for the permit shall be accompanied by a recorded easement executed by the owner of the parcel of land. The issuance of a permit to construct a Building Sewer across another Lot shall not in any manner constitute an approval of the easement. The Department will not be a party in the negotiation of any private easement for Sewer Service.

## SECTION 1406. SEWER LATERAL RESPONSIBILITY

### A. Owner's Responsibility

1. The property owner is responsible for ensuring sewage flow through the Building Sewer, extending from the building to the property line, including the investigation and repair of the Building Sewer. This includes, but is not limited to, inspecting, cleaning, and clearing of the line. The responsibilities shall not be limited to root cutting, so as to ensure sewage flow.
2. The property owner shall ensure that all Building Sewers, Industrial Sewers, Private Sewage Disposal Systems and appurtenances thereto are in a safe and sanitary condition and, further shall maintain in good working order all devices or safeguards which are required by Parts 10 through 18 of these Rules.
3. A Force main which discharges Sewage from a lift station or an ejector vacuum system to a public manhole in a Main Line Sewer shall be considered private and shall be operated and maintained by the property owner.

### B. Long Beach Water Department Responsibility

1. The Department is responsible for ensuring sewage flow through the House Connection, extending from the property line to the sewer main within the public right-of-way, including repairs to the House Connection. The Department has the sole discretion in the House Connection repair process.
2. If the property owner believes that a problem in the House Connection is preventing sewage flow from the Building Sewer to the Main Line Sewer, the Department will not investigate until the property owner has performed an initial inspection, clearing, and draining of the Sewer Lateral. In order to expedite the process, the Department strongly encourages the property owner to secure and provide the Department with a video recording performed by a plumber of the Sewer Lateral.
3. The property owner shall provide an accessible 4-inch Cleanout (see Section 1525) in order for the Department to inspect the House Connection. The

Department will not investigate the failure of a House Connection unless an adequate and accessible Cleanout is present.

4. In conjunction with the repair or replacement of a House Connection by the Department, the Department retains the right to install a standard Cleanout at the Property Line, if needed. The Department will not pay rent or any other charge to the property owner for such cleanout.

## SECTION 1407

This Section has been intentionally left blank.

## SECTION 1408. EXISTING SEWER LATERALS

The following requirements shall apply to Sewer Laterals in existence:

- A. If the construction of a new Sewer Lateral is to include any portion of an existing pipe to a Cesspool, Septic Tank, or other means of Sewage disposal, the existing pipe may be included and accepted as a part of a new Sewer Lateral if the existing pipe meets all of the requirements of a new Sewer Lateral.
- B. If additions are to be made to an existing Sewer Lateral, or if alterations are to be made or are made necessary by a change of use, the Sewer Lateral shall be made to conform to the requirements of Parts AO through 18 which apply to new construction.
- C. No inspection and test shall be required for the undisturbed existing portion of a Sewer Lateral constructed and inspected under a permit issued by the Department or constructed and inspected pursuant to a permit issued in accordance with other applicable laws and ordinances in effect at the time of the construction.

## SECTION 1409. BACKFLOW PREVENTION

If an existing Plumbing outlet has been installed or located or if a Plumbing outlet is to be installed or located at an elevation which, in the opinion of the Department of Planning and Building, may cause the fixture to overflow by reason of backflow from a Main Line Sewer, an Approved type of backwater Trap or Sewer valve shall be installed between the outlet and the Sewer System in such a manner as to prevent Sewage from flowing back or backing up into the outlet or Plumbing fixture. The Trap or valve shall be installed in the basement or in a box or manhole of concrete or cast iron or other material Approved by the Department of Planning and Building and shall be readily accessible at all times. The Trap or valve shall be placed only in the drain serving the fixture or fixtures that may be subject to overflow and no Sewage from fixtures not subject to overflow shall pass through the Trap or valve. If the property owner fails to install and maintain a backwater Trap or Sewer valve in good working condition, as required under Parts 10 through 18, the Department of Planning and Building may order

and require the Plumbing fixture to be disconnected and removed and the outlet there plugged and capped.

#### SECTION 1410. ABANDONED SEPTIC TANKS OR CESSPOOLS

When a Septic Tank or Cesspool is abandoned following the installation of a Sewer Lateral, the Septic Tank, Cesspool or Seepage Hole shall be back filled solidly with earth to the satisfaction of the Department of Planning and Building before the final approval of the Sewer Lateral.

#### SECTION 1411. DISPOSAL OF HAULED WASTES

Except with written authorization from the Department, no person shall discharge any Wastewater delivered by vehicular transport or dedicated pipeline, directly or indirectly into a manhole or other opening in a sanitary or Storm Drain, other than through an Approved Sewer connection or pursuant to a permit. Dischargers may apply for permits from the Department to dispose contents of Cesspools or Septic Tanks, which do not contain harmful concentrations of Industrial Wastewater, oil, grease, or other deleterious substances into a specified manhole or manholes.

Such authorization will only be granted to persons engaged in the disposal of contents of the Cesspools or Septic Tanks. Such persons shall, upon request, furnish to the Department a statement showing the street address of each location from which the contents or Effluents are to be obtained and the location of the manhole into which the discharge will be made.

Unauthorized discharge of Septic Tank and Cesspool contents into the Sewer System carries a penalty fee as established in Appendix B.

#### SECTION 1412. DISPOSAL OF UNCONTAMINATED WATER

No person shall discharge cooling water, water from pools, or clear wash water that is not septic or is capable of becoming a nuisance into a Sanitary Sewer where it is possible, in the opinion of the Department, to dispose of such water into a stream channel, Storm Drain or by other means. For the purpose of this Section, "Storm Drain" includes a Storm Drain under the jurisdiction of the City, Los Angeles County Flood Control District, County Engineer or County Road Commissioner. If, in the opinion of the Department, no suitable means is available for the disposal of such water, the Department may authorize the discharge of such water into a Main Line Sewer if the Main Line Sewer has sufficient capacity to handle the discharge provided that the discharger pays all appropriate charges including but not limited to volumetric and daily service charges.

No person shall discharge non-storm water into the Storm Drain (as defined above) except where such discharges:

- A. Are covered by a separate individual or general NPDES permit; or
- B. Meet one of the conditions below
  - 1. Not identified as a source of pollutants:
    - a. Flows from riparian habitats or wetlands;
    - b. Diverted stream flows;
    - c. Springs;
    - d. Rising ground waters; and
    - e. Uncontaminated groundwater infiltration
  - 2. Not identified as a source of pollutants subject to conditions:
    - a. Reclaimed and potable landscape irrigation water;
    - b. Water line flushing;
    - c. Discharges from potable water sources;
    - d. Foundation drains;
    - e. Footing Drains;
    - f. Air conditioning condensate;
    - g. Water from crawl space pumps;
    - h. Reclaimed and potable irrigation water;
    - i. Reclaimed and potable lawn watering;
    - j. Dechlorinated swimming pool discharges;
    - k. Individual residential car washing;
    - l. Sidewalk washing; and,
    - m. Discharges or flows from emergency fire fighting activities.

#### SECTION 1413. ACCESS TO MANHOLES

No person shall open or enter, or cause to be opened or entered, any manhole in any Public Sewer for any purpose whatsoever unless the person has requested and obtained prior authorization from the Department to open and enter the manhole. If the contents of a Cesspool or Septic Tank are dumped into a manhole, such contents shall be discharged through a pipe or a hose in such a manner that the liquids discharged will not adhere to the sides or shelf of the manhole and the manhole shall be thoroughly cleaned with water following the discharge.

#### SECTION 1414. DAMAGING SEWERS PROHIBITED

No person shall remove or cause to be removed, or damage or cause to be damaged, any Public Sewer or portion thereof, or any appurtenances thereto, or pumping plants in connection therewith, unless such person has been authorized to do so.

#### SECTION 1415. CELLAR AND SHOWER DRAINAGE

Any cellar drain or any drain from a shower in a basement or yard shall be protected so as to prevent the admission of sand, detritus, rain water or surface drainage into the Sewer. When necessary, in the opinion of the City's Department of Planning and

Building, such person shall install an Interceptor constructed in accordance with the provisions of Parts 10 through 18.

#### SECTION 1416. MAINTENANCE OF FACILITIES

The requirements contained in Parts 10 through 18 covering the maintenance of sanitary Sewage pre-treatment plants, Sewer-pumping plants, Industrial Wastewater pretreatment plants, Interceptors, or other appurtenances shall apply to all such facilities now existing or hereafter constructed. The owners shall maintain all such facilities in a safe and sanitary condition and all devices or safeguards which are required by Parts 10 through 18 for the operation of such facilities shall be maintained in good working order. This Section shall not be construed as permitting the removal or non-maintenance of any device or safeguards or existing facilities unless authorized in writing by the Department.

#### SECTION 1417. INSPECTION

The Department may inspect as often as deemed necessary, every Sewer Pumping Plant, Private Sewage Disposal System, Sewer Lateral, dilution basin, neutralization basin, backwater Trap or valve, or other similar appurtenances, for the purpose of ascertaining whether such facilities are maintained and operated in accordance with the provisions of Parts 10 through 18. All persons shall permit the Department to have access to all such facilities at all reasonable times. No object, whether a temporary or permanent Structure, nor any object which is difficult to remove, shall be placed in such a position so as to interfere with the ready and easy access to any such facility. Upon request by the Department any such obstruction shall be immediately removed at no expense to the Department and shall not be replaced.

#### SECTION 1418. DISCONNECTION COSTS

If an industrial connection Sewer or a House Connection through which Wastewater is disposed has been disconnected from the Public Sewer by the Department for failure to comply with the provisions of Parts 10 through 18. Non-compliant Customers shall pay disconnection costs. Any Applicant requesting permission to reconnect to the Sewer System shall pay to the Department the reasonable cost of making the reconnection. The Department shall determine the cost, and may require the installation of a manhole for the purpose of measuring the flow or making periodical tests of the waste passing through the connection.

**PART 15**  
**SEWER INSTALLATION**

**SECTION 1501. LOWERING WATER LEVEL**

Where groundwater conditions are found to exist which will require the lowering of the water level in the installation area, the method to be used in lowering the water level shall be Approved by the Department.

**SECTION 1502. EXCAVATIONS**

If a permit issued pursuant to Parts 10 through 18 authorizes the making of an excavation in a public street or alley, the person to whom the permit is issued shall comply with the provisions of Sections 14.08.230, 14.08.340, 14.08.350 and 14.08.360 of the Long Beach Municipal Code in making the excavation.

**SECTION 1503. NOTICE OF NONCOMPLIANCE**

If work performed on Sewers in a public street pursuant to a permit issued under Parts 10 through 18 does not comply with the provisions of Parts 10 through 18, the Department shall notify the person to whom the permit was issued and specify the defect of the work. The person shall, without delay, take such steps as may be necessary to protect the public and within a period of five days after service of notice shall proceed with reasonable diligence to remedy the defect. If the person does not comply with the requirements of the notice, the Department shall not grant to the person a permit authorizing the installation of Sewers until the person has complied in full with the terms of the notice.

**SECTION 1504. MATERIALS AND SPECIFICATIONS STANDARDS**

All materials used in any work done under Parts 10 through 18 shall be new, first-class materials and shall conform to and the manner of construction shall meet all the requirements of Parts 10 through 18.

The Department at the expense of the permittee may order tests of any material to determine whether such material meets the specifications as defined in Section 1507.

**SECTION 1505. MAIN LINE SEWER SIZE**

Main line Sewer pipe shall have an inside diameter of not less than eight inches and shall have sufficient capacity to carry Sewage from the area tributary when computed upon the basis developed in the Sewer master plan.

**SECTION 1506. MAIN LINE SEWER GRADIENT**

A Main Line Sewer shall be designed so as to provide a minimum velocity of two feet per second for pipes up to a 15-inch diameter flowing one-half (1/2) full, and pipes with an 18-inch diameter flowing three-quarters (3/4) full except that the Department may approve a gradient that will develop a lower velocity if it finds that the gradient required to develop the above-stated velocity of two feet per second is unfeasible.

**SECTION 1507. PIPE SPECIFICATIONS**

A. The pipe used shall be either vitrified clay pipe (VCP) or ductile iron pipe with fusion bond epoxy coating. All vitrified clay pipe six inches or more in diameter shall

conform to the "Standard Specifications for Public Works Construction", latest edition, and the Long Beach, California Amendments thereto. All vitrified clay pipe four inches in diameter shall be first-class vitrified clay pipe, ceramic glazed on the inside.

- B. That portion of the pipe extending from the Public Sewer Main to the Property Line shall be not less than six inches in internal diameter. That portion extending from the Property Line to the house or building shall be not less than four inches in internal diameter provided, however, that the size of the pipe shall meet all of the requirements of the Uniform Plumbing Code.

#### SECTION 1508. VITRIFIED CLAY PIPE STRENGTH

Vitrified clay pipe used for Sewers shall be as follows:

- A. Standard strength for Sewers not more than ten feet in depth from the surface to invert;
- B. Extra strength for Sewers more than ten feet and not more than twenty feet in depth;
- C. Extra strength reinforced with concrete cradle or concrete encasement, for Sewers more than twenty feet in depth;
- D. Extra strength encased in concrete or placed inside of steel pipe back filled with sand for Sewers under railways, freeways, major highways and such other streets as may be designated by the Department;
- E. Reinforced as required by the Department for Sewers under large conduits or other Structures.

#### SECTION 1509. PIPE LAYING METHOD

All pipe shall be laid upgrade on an unyielding Foundation true to line and grade and with a uniform bearing under the full length of the barrel of the pipe. Bell and spigot pipe shall be laid with sockets upgrade. Suitable excavations shall be made to receive the bells or collars of the pipe. All adjustments to bring the pipe to line and grade shall be made by scraping away or filling in under the body of the pipe, and not by wedging or blocking.

#### SECTION 1510. MAIN LINE SEWER SLOPE

The grade or slope of Main Line Sewers shall be shown on the plans in feet of fall per foot of horizontal distance expressed as a decimal. Slopes shall be calculated to four (4) decimal places.

#### SECTION 1511. PIPE JOINT MATERIALS

All joints in vitrified clay pipe or ductile iron pipe shall be made with Approved joint materials to the satisfaction of the Department.

#### SECTION 1512. PIPE DISTURBANCE AFTER JOINTS MADE

No person shall walk upon or disturb the pipe in any manner after the joints have been made.

#### SECTION 1513. DEPTH OF LINES TO TOP OF PIPE

- A. The minimum depth of Main Line Sewers to top of pipe in residential districts shall be five feet and in business districts shall be sufficient to provide a House

Connection depth of ten and one-half feet for areas where no groundwater is present. Minimum depth for six-inch House Connection shall be four feet in residential districts and ten and one-half feet in business or apartment house districts, respectively, below the top of curb or ground elevation at Property Line.

- B. Where the Lot to be served has a slope greater than one percent, the depth for residential Main Line Sewers shall be sufficient to provide for a Sewer Lateral with a minimum depth of at least one foot below the surface at any part of the Lot and a grade of not less than two percent.
- C. Exceptions to the minimum depths set out in this Section may be made only on written approval by the Department.

#### SECTION 1514. SEWER STRUCTURES

Manhole Structures shall be placed in the Main Line Sewer, except curved Sewers, at all changes of alignment or gradient; the maximum distance between such Structures shall not be more than three hundred fifty feet. All Sewer Structures shall be designed and constructed in accordance with the standard drawings for such Structures on file in the offices of the Department.

#### SECTION 1515. END STRUCTURES

End Structures shall be located at least ten feet upgrade from the point where the last lateral crosses the Property Line.

#### SECTION 1516. SOIL CONDITIONS

Soil conditions, particularly in areas known to have high groundwater tables, rock or filled ground, shall be prospected and the results shown on the profile.

#### SECTION 1517. BENCHMARKS

A system of benchmarks on United States Geodetic Survey datum and adequate to construct the work shall be noted on the profile.

#### SECTION 1518. SUBSTRUCTURES

All subStructures which will be encountered in the construction or which will be installed as part of the improvement shall be shown and designated on the plan. Large subStructures which require special treatment in the design of the Sewer shall also be shown on the profile when required by the Department. When required, the permittee shall submit to the Department a statement from each utility company having subStructures in the affected area, certifying that the locations and size of the Structures, as shown on the plans, are the same as shown upon their records.

#### SECTION 1519. SEPTIC TANKS, CESSPOOLS AND SEEPAGE HOLES

Septic tanks, Cesspools and Seepage Holes shall be constructed in accordance with plans Approved by the Department, the Department of Health and Human Services and in accordance with Appendix I of the Uniform Plumbing Code.

#### SECTION 1520. SEWER REQUIREMENT PER LOT

Six-inch House Connection service shall be provided within the street right-of-way for each Lot.

#### SECTION 1521. BUILDING SEWER GRADE

All Building Sewers shall be laid on straight lines and uniform grades between Cleanouts shall be located as specified in Parts 10 through 18. Minimum grades of Building Sewer shall be one-quarter inch per foot except where otherwise permitted, in writing, by the Department.

#### SECTION 1522. HOUSE CONNECTION GRADE

The alignment and grade of a House Connection shall be straight from the Public Sewer to the street Property Line and shall have a fall of not less than one foot in fifty feet towards the Public Sewer, except where otherwise permitted, in writing, by the Department.

#### SECTION 1523. VITRIFIED CLAY PIPE PLACEMENT

Vitrified clay pipe shall not be placed closer than two feet to the exterior wall of any building or Foundation or closer than twelve inches to the surface of the ground at any point in its course.

#### SECTION 1524. REDUCERS

A six-inch by four-inch reducer shall be inserted in the Sewer Lateral just inside the Property Line when the pipe size is changed from six-inch to four-inch. A six-inch by four-inch reducer TEE may be used at this location to serve as reducer, test TEE, and Cleanout.

#### SECTION 1525. CLEANOUTS

- A. Cleanouts in a Sewer Lateral shall be made by inserting either a or WYE branch or a two-way Cleanout fitting in the line with the Cleanout hub placed vertically above the flow line of the pipe. A cap of the same material shall be tightly sealed in the bell of the access or vertical outlet.
- B. Cleanouts shall be accessible for maintenance and shall be placed in every Sewer Lateral at:
  - 1. the junction with the Building Sewer at the building;
  - 2. intervals of not more than fifty feet in straight runs. Cleanouts in straight runs longer than fifty feet shall be uniformly spaced.
  - 3. the junction with the Main Line Sewer; or the junction of the House Connection and Building Sewer at the Property Line;
  - 4. all significant changes in alignment or grade or when required by the Department; and
- C. No rent or other charge will be paid by the Department for a Property Line Cleanout located on private property.
- D. A four inch or larger cleanout is required to receive any video inspection services from the Department. Installation is at the owner's expense.

#### SECTION 1526. DIRECT CONNECTION WITH TRUNK SEWER

Whenever a House Connection is connected directly to a Trunk Sewer, a side hand hole Trap, or running Trap shall be inserted at the point or points of connection to the house Plumbing, two feet outside the building, and the required TEE Cleanout shall be inserted in the line just below the Trap.

## SECTION 1527. BUILDING SEWER ROUTING

All House Connections and Building Sewer shall be laid in the most direct feasible route, free of pinched joints or unnecessary bends and fittings, and on a straight line and uniform grade between Cleanouts located as specified herein.

## SECTION 1528. BUILDING SEWER TESTING

- A. Upon completion, every House Connection and Building Sewer shall be subjected to a water pressure test by completely filling with water every portion of pipe from the lowest to the highest portion thereof.
- B. No House Connections or Building Sewer shall be Approved if any portion thereof, including any fitting, material, work or construction, fails to withstand the test without leaking at any point or does not comply with the provisions of Parts 10 through 18.

## SECTION 1529. TESTING IN SECTIONS

If by reason of excessive fall in any reach of pipe, the pressure in a static water pressure test exceeds four pounds per square inch, the pipe may be tested in sections of such length that no such section, nor any portion thereof, will be subjected to a pressure greater than four pounds per square inch.

## SECTION 1530. CEMENTED JOINTS

In the event that any joints of any pipe are cemented with Portland cement mortar, no water test shall be made thereof until the expiration of not less than twenty-four hours after the joints are made.

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## **PART 16**

### **SEWER INSPECTION AND ENFORCEMENT**

#### **SECTION 1601. RIGHT OF ENTRY**

The Department shall have the right of entry into and upon any property, building, Structure, or site served by any public or Private Sewer, Cesspool, Septic Tank, or appurtenances thereon, for the purpose of examining and inspecting the construction or condition of the Sewer, Cesspool, Septic Tank or appurtenances, and every person owning, controlling, or otherwise occupying the property, Structure, or site shall permit the entrance and give such aid as may be necessary or required for the examination and inspection.

#### **SECTION 1602. INSPECTION REQUIREMENTS**

All construction and installation made pursuant to the provisions of Parts 10 through 18 shall be subject to: 1) a permit from the Department for Sewer connections to the Main Line Sewers, 2) an encroachment permit issued by the City of Long Beach Department of Public Works for excavation in City streets, 3) a rider from CALTRANS for excavation in a CALTRANS right-of-way and 4) inspection and approval by each of these agencies. The approval by the Department shall not relieve any person from fully complying with all of the provisions of Parts 10 through 18.

When the construction or installation is ready for inspection, the Department will respond to the permittee's request for inspection within a reasonable time. The Department, at its discretion, may request the permittee to file a written request for inspection at least eight hours before the inspection is to be made.

#### **SECTION 1603. WORK TO BE OBSERVED**

At the time of the inspection the permittee shall have all work uncovered and convenient for the Department's examination and shall give the Department every facility necessary to make a thorough examination and to apply the required water pressure test. The permittee shall furnish all labor, tools and materials necessary for the test. No Sewer Lateral shall be inspected unless the required plug and water for tests are available on the job when the Department arrives.

The permittee shall demonstrate to the Department that every Plumbing fixture requiring drainage has been connected to a Building Sewer and drains into a Public Sewer.

#### **SECTION 1604. DEFECTIVE WORK CORRECTION**

If the Department notifies a permittee that the construction or installation of any part thereof is defective, the permittee shall, within ten days after notice from the Department, remove and reconstruct the construction or installation of any part thereof found to be defective.

#### **SECTION 1605. CERTIFICATE OF FINAL INSPECTION**

Upon request, a certificate of final inspection may be issued to the person constructing the work if it appears that all work done under a permit issued pursuant to these rules has been constructed according to, and meets all the requirements of, the applicable provisions of these rules, and that all charges have been paid.

#### **SECTION 1606. INSPECTOR IDENTIFICATION**

The Department shall provide Inspectors with proper identification showing that the Inspector is authorized to represent the Department in making any inspection. The Inspector shall display his identification upon request prior to the inspection of any work performed under the permit or when making any other inspection authorized by Parts 10 through 18.

#### SECTION 1607. SEWER INSPECTION AND CLEANING FEES

If a closed circuit television inspection or cleaning is required, it can be performed either by the Department's crews or its authorized private contractor. The Applicant shall submit detailed work plans to the Department for review and approval before any work starts. The Applicant shall also pay to the Department, in advance, the cost of performing such service, or the cost plus 35% for an administrative fee if the work is done by the Department's private contractor, as stated in Appendix B.

- A. Re-inspection – Those portions of the Sewer System that have been corrected must be re-televised. If a defect is detected by the television inspection and the Applicant is required to perform corrective work again, then the Applicant shall make arrangement and pay for additional Department services.
- B. Cancellation – If it is determined by the Applicant that a site will not be ready or accessible for the Department's cleaning or television inspection on the scheduled date, the Applicant shall notify the Department of the cancellation of such scheduled date at least 24 hours in advance of the scheduled work. If the Department's crew arrives at the site and the work is not ready or accessible, the Applicant will be billed a cancellation fee.

## **PART 17**

### **INSTALLATION AND EXTENSION OF FACILITIES**

#### **SECTION 1701. INSTALLATION OF FACILITIES IN SUBDIVISIONS OR OTHER PARCELS**

An Applicant for Sewer Service to a new subdivision or other parcel shall cause the Sewer Service facilities to be installed by private contract, unless other arrangements are made with the Department. Such facilities must be installed in accordance with terms and conditions of an agreement between the Applicant and the Board.

The material installed and work performed must comply with the engineering plans and specifications Approved by the Department and will be subject to Department inspection. The Applicant shall pay in advance the estimated cost for administrative, engineering and inspection services provided by the Department. If the amount paid is less than the final cost the Applicant will be invoiced. If the amount paid is greater than the final cost the difference will be refunded to the Applicant.

Upon completion of the installation in accordance with the agreement and acceptance by the Department of such facilities, title to said facilities shall automatically vest in the Board. The Applicant, following installation and acceptance and upon request of the Department, shall execute any easements required by the Department that will enable the Department to properly repair, replace, and/or reconstruct said facilities.

The decision of the Department shall be final as to the size of mains required for the hydraulic adequacy of the Sewer System.

Special circumstances may exist where a developer's project also provides a substantial benefit to the Department's overall Sewer System or provides benefits to future developers.

Such circumstances may be addressed, at the Board's option, in the required agreement by placing an encumbrance on the facility to be paid by future developers or other means as determined by the Board.

#### **1701.1 Changes to or Adjustment of Sewer Facilities Caused by Others**

Any person requesting or otherwise necessitating changes or adjustments to the Sewer System or the installation of temporary mains or services shall pay the Department the costs of making such changes, adjustments, or temporary installations.

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## **PART 18**

### **SEWER CAPACITY CHARGE**

#### **SECTION 1801. REQUIREMENT**

All new Development shall be required to pay a Capacity Charge at the time application for Sewer Service is made; but no later than the date on which the City issues a Sewer permit for connection to the Sewage system, as set forth in the Long Beach Municipal Code.

#### **SECTION 1802. AMOUNT**

The Capacity Charge, per Equivalent Fixture Unit, shall be as set forth in Appendix B.

#### **SECTION 1803. COLLECTION OF CAPACITY CHARGE**

City's Director of Planning and Building shall be responsible for the calculation and collection of the Capacity Charge at the time application for Sewer Service is made but, no later than the date of issuance of a Sewer permit for connection to the Sewer System.

#### **SECTION 1804. LIMITATION ON THE USE OF FUNDS DERIVED FROM CAPACITY CHARGES**

Funds derived from Capacity Charges shall be placed in the Sewer Fund and shall be used only for reimbursed fee collection costs, construction, reconstruction, maintenance and operation of the Sewer System, or to repay federal or state loans, advances, or Department indebtedness incurred for the acquisition, construction, reconstruction, maintenance, or operation of the Sewer System.

#### **SECTION 1805. REFUNDS**

Any person who has paid a Capacity Charge pursuant to this Section may apply for a full or partial refund of same if, within one (1) year after payment of the Capacity Charge: (a) the Applicant has not been permitted to connect to the Sewer System; or (b) the Development upon which the Capacity Charge has been calculated has been modified, pursuant to appropriate Department or City ordinances and regulations, resulting in a reduction in the number of Equivalent Fixture Units provided that, if the one-year period expires and the City has not made a final decision on the Development, then the one-year period is extended for ninety (90) days after the date of the City's decision.

Refund applications shall be made on forms provided by the Department and shall contain a declaration of those facts, under oath, along with relevant documentary evidence, which qualify the Applicant for the refund. In no event may a refund exceed the amount of the Capacity Charge actually paid.

#### **SECTION 1806. CREDITS**

Any person subject to a Capacity Charge pursuant to this Section who constructs, escrows money with the Department for the construction of, agrees to participate in an assessment district for the construction of, or who otherwise contributes funds or improvements to the Department for the acquisition, construction, reconstruction, maintenance, and operation of the Sewer System shall be eligible for credit for such contribution against the Capacity Charge otherwise due. The amount of the credit shall be the value of the construction as determined by the Department provided, however, that the credit shall not exceed the amount of the otherwise applicable Capacity Charge. Credit applications shall be made on

forms provided by the Department and shall be submitted at or before the time of application for Sewer Service. The application shall contain a declaration of those facts, along with relevant documentary evidence which qualify the Applicant for the credit.

**SECTION 1807. EFFECT OF CAPACITY CHARGES ON ZONING AND SUBDIVISION REGULATIONS**

This Section shall not affect, in any manner, the permissible use of property, density of Development, design and improvement standards, public improvement requirements, or any other aspect of the Development of land or construction of buildings, which may be imposed by the City pursuant to the Zoning Ordinance, Subdivision Regulations or other ordinances or regulations of the City, which shall be operative and remain in full force and effect without limitation with respect to all such Developments.

**SECTION 1808. CAPACITY CHARGE AS ADDITIONAL AND SUPPLEMENTAL REQUIREMENT**

The Capacity Charge imposed by this Section is a charge on Development reflecting its proportionate share to buy into the present depreciated value of the existing Sewage system. As such, the Capacity Charge is additional and supplemental to and not in substitution of (a) on-site Sewer facility requirements imposed by the City pursuant to zoning, subdivision and other City ordinances and regulations; (b) Sewer permit charges; (c) connection charges; (d) Sewer rates; and (e) other rates and charges, including but not limited to Sewer standby or immediate availability charges and capital facilities charges for services or facilities other than for buy-in to the existing Sewage system. In no event shall an Applicant for Sewer Service be obligated to pay rates or charges in excess of those calculated pursuant to applicable City ordinances, which shall not individually or collectively exceed the reasonable cost of providing Sewer Service to Development.

Part 19 WATER CONSERVATION AND WATER SUPPLY SHORTAGE PLAN

Section 1901.	Water Conservation and Water Supply Shortage Plan (Resolution Number WD-1266)
Section 1902.	Warning Letter
Section 1903.	Notice of Violation
Section 1904.	Service
Section 1905.	Prohibited Use of Water (PUoW) Charge
Section 1906.	Appeal of Notice of Violation
Section 1907.	Appeal Hardship Waiver
Section 1908.	Hearing Procedure
Section 1909.	Hearing Officers Decision
Section 1910.	Right to Judicial Review

**PART 19  
WATER CONSERVATION AND WATER SHORTAGE SUPPLY PLAN**

Section 1901.	Water Conservation and Water Supply Shortage Plan (Resolution Number WD-1266)
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Attached at the end of Part 19

Section 1902.	Warning Letter
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A. Prior to receiving a Notice of Violation as provided for in the Water Conservation and Water Supply Shortage Plan ("Plan"), the Customer shall first be served a Warning letter. The Customer shall be served one Warning Letter for the first violation of each type of Prohibited Use of Water. The Warning Letter shall contain, at a minimum:

- (1) The account number and service address where the violation took place;
- (2) A description of the violation and the provision of the Plan violated;
- (3) Possible suggestion(s) for eliminating the violation;
- (4) An order to the Customer to correct the violation no later than the specified correction date;
- (5) An explanation of the possible consequences of failure to correct the violation in a timely manner. This explanation shall inform the Customer that subsequent separate and distinct offenses of the provision of the Plan shall result in a Notice of Violation and a Prohibited Use of Water (PUoW) Charge.

B. For each additional separate and distinct offense taking place after the specified correction date of the most recent Warning Letter or Notice of Violation served for a violation of the same provision of the Plan, a Notice of Violation shall be issued, unless no Warning Letter or other Notice of Violation has been served on the Customer for a violation of the same provision within 365 calendar days of the offense. If no Warning Letter or other Notice of Violation has been served within 365 calendar days, then a Warning Letter, not a Notice of Violation, shall be served.

Section 1903. Notice of Violation.

A. The Notice of Violation of the Water Conservation and Water Supply Shortage Plan shall contain the following:

- (1) A description of the violation and the provision of the Plan violated
- (2) The date, time, address or description of the location where the violation(s) was observed.
- (3) An order to the Customer to correct the violation(s) no later than the specified correction date.
- (4) An explanation of the consequences of failure to correct the violation(s) in a timely manner.
- (5) The amount of the PUoW Charge for the violation(s).
- (6) An explanation of how the PUoW Charge shall be paid and the payment due date.
- (7) Notice of the right to appeal the PUoW Charge, the time within which the PUoW Charge may be appealed, the required deposit for appeal and how to obtain a hearing form and/or a deposit waiver form.
- (8) The date of service of the Warning Letter.

B. Time to Correct or Eliminate Violations: In determining the specified correction date to correct or eliminate the PUoW the General Manager shall consider the number of past warnings or notices, what efforts on the part of the Customer would be required to solve the prohibited use violation, the quantity of water being wasted and the current water shortage stage. In no event shall the General Manager allow more than ninety (90) calendar day to correct or eliminate the prohibited use violation unless a longer period to correct the prohibited use is approved by the Board.

Section 1904. Service

Service Procedures. A Warning Letter or Notice of Violation on a form approved by the General Manager shall be served upon Customer by the Department in the following manner:

A. Personal Service: In any case where a Warning Letter or Notice of Violation is issued

- (1) The Department shall attempt to personally serve the Customer at the location where the violation exists.

B. Service by Posting Notice: If the Department does not succeed in personally serving the Customer at the location where the violation exists:

- (1) The Department shall post the Warning Letter or Notice of Violation or duplicate thereof in a conspicuous place where the violation(s) exists or has occurred, and such posting shall be deemed effective service;
- (2) Any posted notice shall be photographed on the date of posting by the Department, and a proof of service of the notice shall be made by declaration of the Department employee affecting the service.

C. Service of Notice by Mail in addition to posting notice:

- (1) The Warning Letter or Notice of Violation or duplicate thereof shall be mailed to the Customer at the billing address on record for the water account associated with the violation by depositing the same in the United States mail postage prepaid as first class mail;
- (2) A proof of service of the notice shall be made by declaration of the Department employee affecting the service.

Section 1905. Prohibited Use of Water (PUoW) Charge.

A. The PUoW base charge shall be in an amount established from time to time by resolution of the Board of Water Commissioners. The total PUoW Charge shall equal the number of Notices of Violation multiplied by the Base Charge.

For example purposes only, if the PUoW base charge established by the Board of Water Commissioners was One Hundred and Fifty Dollars (\$150.00) for the period prior to the effective date of a declared Stage 1 Water Supply Shortage then the PUoW Charge associated with a third Notice of Violation issued for the same violation taking place prior to the effective date of a declared Stage 1 Water Supply Shortage would be Four hundred and Fifty Dollars (\$450.00). (3 x 150.00 = \$450.00). If the PUoW base charge established by the Board of Water Commissioners was Two Hundred Dollars (\$200.00) for the period after the effective date of a declared Stage 1 Water Supply Shortage then the PUoW Charge associated with a third Notice of Violation issued for the same violation taking place after the effective date of a declared Stage 1 Water Supply Shortage would be Six hundred Dollars (\$600.00). (3 x 200.00 = \$600.00).

B. Failure to pay the PUoW Charges. Failure to pay the PUoW Charge may subject the Customer to restriction and/or termination of water service. If water service is restricted or terminated pursuant to this Plan, the Department will not restore water service until the General Manager has determined that the Customer has provided reasonable assurances that future violations of this Plan will not occur and that any unpaid charges have been paid in full. In addition, the General Manager may require a security deposit. Further, the Department may file an action with the small claims court for recovery of the PUoW Charges and late penalties. The only issue to be adjudicated by the small claims court shall be whether or not the PUoW Charges and possible late fees were paid. A Customer may only obtain judicial review of the validity of Notice of Violation by first requesting and participating in an administrative hearing before a Hearing Officer. In the small claims court action, the Department may also recover its costs, according to proof.

#### Section 1906. Appeal of Notice of Violation

A. Any recipient of a PUoW Charge may appeal said violation by completing a written request for hearing form, obtained as directed on the Notice of Violation, and returning it to the Department within thirty (30) calendar days from the date the Notice of Violation is served or deemed to have been served, together with a deposit in the total amount of the PUoW Charge and any late charges.

B. A failure to file a timely appeal of the Notice of Violation and the associated deposit shall be deemed a waiver of the right to appeal and a waiver to seek judicial review.

C. Additional Notices of Violation and PUoW Charges may be issued during the appeal period if additional violations occur.

#### Section 1907. Appeal Hardship Waiver

A. Any person who intends to appeal the Notice of Violation and who is financially unable to make the advance deposit as required in Section 1906 may request an advance deposit hardship waiver by completing a deposit waiver form obtained as directed on the Notice of violation.

B. The deposit waiver request form shall be filed together with the appeal with the Department within thirty (30) calendar days from the date the Notice of Violation is served or deemed to have been served.

C. A failure to file a timely appeal of the Notice of Violation with the associated deposit waiver form shall be deemed a waiver of the right to appeal the Notice of Violation, a waiver of the hardship waiver and a waiver to seek judicial review.

D. The deposit requirement described in Section 1906 shall be stayed unless or until the General Manager makes a determination regarding the deposit waiver request.

E. The General Manager may waive the requirement of an advance deposit only if the Customer submits a statement under penalty of perjury, together with any supporting documents or materials required by the General Manager, demonstrating to the satisfaction of the General Manager the Customer's actual financial inability to deposit with the Department the full amount of the PUoW Charges and late charge(s) in advance of the hearing.

F. If the General Manager declines to issue a waiver, the Customer shall remit the full deposit to the Department within ten (10) calendar days of the date of that decision or thirty (30) calendar days from the date the Notice of Violation is served or deemed to have been served, whichever is later.

G. The General Manager shall issue a written determination listing the reasons for his/her determination to issue or not issue the hardship waiver. The written determination shall be final.

H. The written determination of the General Manager shall be served personally or by first class mail, postage prepaid, upon the Customer who applied for the hardship waiver.

#### Section 1908. Hearing Procedure

A. No hearing to appeal a Notice of Violation shall be held unless and until a request for hearing form has been completed and submitted, as indicated on the notice, and the deposit has been paid, or a hardship waiver has been issued.

B. A hearing before the Hearing Officer shall be set for a date not sooner than fifteen (15) calendar and not more than sixty (60) calendar days from the date the request for hearing is completed and submitted in accordance with the provisions of this Section. The Customer requesting the hearing shall be notified in writing of the time and place set for the hearing at least ten (10) calendar days prior to the date of the hearing.

C. The Hearing Officer shall only consider evidence that is relevant to whether the violation(s) occurred. Courtroom rules of evidence shall not apply. Relevant hearsay evidence and written reports may be admitted whether or not the speaker or author is present to testify, if the Hearing Officer determines that such evidence is reliable. Admission of evidence and the conduct of the hearing shall be controlled by the Hearing Officer in accordance with the fundamentals of due process. The Hearing Officer may set reasonable limits on the length of the hearing, and shall allow the appellant at least as much time to present his/her case as is allowed to the Department.

D. The Customer contesting the Notice of Violation shall be given the opportunity to testify and present witnesses and evidence concerning the Notice of Violation. The Department's case shall be presented by any person designated by the General Manager. The Customer/appellant and Department may be represented by counsel.

E. The failure of the Customer/appellant to appear at the hearing shall constitute a forfeiture of the PUoW Charges and a failure to exhaust administrative remedies.

F. The Notice of Violation and any additional documents prepared by the Department in connection with the violation(s) may be submitted and shall constitute prima facie evidence of the respective facts contained in those documents.

G. If the Department submits any additional documents concerning the Notice of Violation to the Hearing Officer for consideration at the hearing, then, whenever possible, a copy of such document(s) shall be served by mail on the Customer/appellant at least five (5) calendar days prior to the date of the hearing.

H. The Hearing Officer may continue the hearing or request additional information from the Department or the Customer/appellant prior to issuing a written decision.

#### Section 1909. Hearing Officer's Decision

A. After considering all of the testimony and evidence submitted at the hearing, the Hearing Officer shall issue a written decision within fifteen (15) business days of the hearing. The decision of the Hearing Officer shall be final.

B. If the Hearing Officer denies the appeal, then the deposit shall be retained by the Department.

C. If the Hearing Officer grants the appeal, then the Department shall refund the deposit within thirty (30) business days from the date of the final written decision.

D. The Customer/appellant and Department shall each be served with a copy of the Hearing Officer's written decision.

#### Section 1910. Right to Judicial Review

A. Either the Department or the Customer/appellant aggrieved by a decision of a Hearing Officer on a Notice of Violation may obtain review of the decision by filing a petition for review with the Los Angeles superior court. Judicial review of

a Notice of Violation shall not be available unless all administrative remedies have been exhausted as provided in the Water Conservation and Water Supply Shortage Plan and/or the Long Beach Water Department Rules, Regulations, and Charges Governing Potable Water, Reclaimed Water, Sewer Service and the Water Conservation and Water Supply Shortage Plan.

B. Failure to receive any notice specified in the Water Conservation and Water Supply Shortage Plan and/or the Long Beach Water Department Rules, Regulations, and Charges Governing Potable Water, Reclaimed Water, Sewer Service and the Water Conservation and Water Supply Shortage Plan does not affect the validity of proceedings conducted hereunder.

OFFICE OF THE CITY ATTORNEY  
ROBERT E. SHANNON, City Attorney  
333 West Ocean Boulevard, 11th Floor  
Long Beach, CA 90802-4664

1 RESOLUTION NO. WD-1266

2  
3 A RESOLUTION OF THE BOARD OF WATER  
4 COMMISSIONERS OF THE CITY OF LONG BEACH  
5 AMENDING AND RESTATING THE WATER  
6 CONSERVATION AND WATER SUPPLY SHORTAGE PLAN,  
7 AND RESCINDING RESOLUTION NO. WD-1232  
8

9 WHEREAS, a reliable, minimum supply of quality potable water is essential  
10 to the welfare of the people and economy of the City of Long Beach ("City"); and

11 WHEREAS, responsible management of water supplies in non-shortage  
12 conditions is wise and prudent for both water supply reliability and environmental  
13 stewardship; and

14 WHEREAS, effective and equitable management of limited water supplies  
15 during a water supply shortage minimizes the impact on the people and economy of the  
16 City; and

17 WHEREAS, water conservation is an important component of California's  
18 water policy for the future; and

19 WHEREAS, all reasonable efforts to conserve water should continue to be  
20 a high priority; and

21 WHEREAS, on September 21, 1995, the Board of Water Commissioners of  
22 the City of Long Beach ("Board") adopted Resolution No. WD-1071 entitled "A Resolution  
23 of the Board of Water Commissioners of the City of Long Beach Restating The  
24 Emergency Water Conservation Plan and Rescinding Resolution Nos. WD-990, WD-994,  
25 WD-1005 and WD-1020"; and

26 WHEREAS, on November 3, 2005, the Board adopted Resolution No. WD-  
27 1209 entitled "A Resolution of the Board of Water Commissioners of the City of Long  
28 Beach Adopting a Water Conservation and Water Supply Shortage Plan, and Rescinding

1 Resolution No. WD-1071”; and

2 WHEREAS, on June 21, 2007, the Board adopted Resolution No. WD-1232  
3 entitled “A Resolution of the Board of Water Commissioners of the City of Long Beach  
4 Amending and Restating the Water Conservation and Water Supply Shortage Plan and  
5 Rescinding Resolution WD-1209”, and

6 WHEREAS, the Board now wishes to amend and restate the Water  
7 Conservation and Water Supply Shortage Plan;

8 NOW, THEREFORE, the Board of Water Commissioners of the City of  
9 Long Beach resolves as follows:

10 Section 1. Scope.

11 There is hereby established a Water Conservation and Water Supply  
12 Shortage Plan (“Plan”).

13 Section 2. Objectives.

14 The objectives of the Plan are:

15 A. To prevent water supply shortages through aggressive and effective  
16 water management programs such as conjunctive use, water conservation, water  
17 education and use of reclaimed water;

18 B. To minimize the impact of a water supply shortage on the City’s  
19 population and economy;

20 C. To provide first for public health and fire protection and other  
21 essential services, then to provide for the economic health of the City, and then to  
22 provide for other uses of water; and

23 D. To ensure that water users who conserve water during normal-year  
24 hydrology and wet-year hydrology are not disadvantaged by the Plan during  
25 shortages.

26 Section 3. Notice.

27 When an Imminent Water Supply Shortage, a Stage 1 Water Supply  
28 Shortage, a Stage 2 Water Supply Shortage, or a Stage 3 Water Supply Shortage is

1 declared by the Board, the Long Beach Water Department (“Department”) shall provide  
2 notice to its customers. Said Notice shall include:

- 3 A. The effective date of the declaration;
- 4 B. The prohibited uses of water associated with the relevant supply  
5 shortage;
- 6 C. Information about rate increases, if any, resulting from the  
7 declaration; and
- 8 D. The importance of their taking additional voluntary actions to  
9 conserve water.

10 This Notice shall be published pursuant to California Government Codes  
11 Section 6063.

12 The Department will continue to educate its customers for the duration of  
13 the water supply shortage. The Department will communicate effectively with its diverse  
14 customer base.

15 Section 4. Prohibited Uses of Water at All Times.

16 The following uses of water are prohibited at all times:

- 17 A. Permitting the excess use, loss or escape of water through breaks,  
18 leaks or other malfunctions in the water user’s plumbing or distribution system for  
19 any period of time after such escape of water should have reasonably been  
20 discovered and corrected;
- 21 B. Irrigating landscape with potable water at any time other than such  
22 hours as determined by the General Manager of the Long Beach Water  
23 Department or the General Manager’s designee (collectively “General Manager”).  
24 When establishing the hours for which irrigating landscape with potable water is  
25 prohibited, the General Manager shall consider, but is not limited to, the stage of  
26 the water supply shortage as declared by the Board, the time of year, and the  
27 impact of daylight savings time. The hours as established or any changes to the  
28 prohibited hours for irrigating landscape with potable water by the General

1 Manager shall be published in a local newspaper of general circulation, pursuant  
2 to California Government Code Section 6063;

3 C. Irrigating landscape in a manner that results in unreasonable runoff,  
4 as determined by the General Manager, where water flows onto adjacent property,  
5 non-irrigated areas, private and public walks, roadways, parking lots or structures;

6 D. Irrigating landscape in a manner that is unreasonably water-  
7 inefficient, as determined by the General Manager. Unreasonable water-inefficient  
8 irrigation includes, but is not limited to, excessive over spray, excessive misting,  
9 over pressurization, misalignment or tilted spray heads, or other malfunction or  
10 out-of-adjustment condition which results in unreasonable waste of potable water;

11 E. Washing driveways, sidewalks, parking areas, patios, other outdoor  
12 impermeable surface areas, kitchens or objects such as kitchen non-skid mats  
13 with a hose unless using a water-conserving pressurized cleaning device as  
14 defined herein. A water-conserving pressurized cleaning device shall discharge  
15 water at a minimum of 1,000 pounds per square inch or rated at using less than  
16 three (3) gallons of water per minute. A simple spray nozzle does not qualify as a  
17 water-conserving pressurized cleaning device;

18 F. Washing a vehicle with a hose when the hose does not have a water  
19 shut-off nozzle or device attached to it or allowing a hose to run continuously while  
20 washing a vehicle;

21 G. Any other water use resulting in excessive or unreasonable runoff,  
22 as determined by the General Manager, where water flows onto adjacent property,  
23 public or private walks or road, parking lots or other structures;

24 H. Operating a fountain or other water feature that does not re-circulate  
25 the water;

26 I. A hotel or motel failing to provide its customers the option of  
27 choosing not to have towels and linens laundered daily and/or failing to  
28 prominently display notice of this option in each bathroom and sleeping room

1 using clear and easily understood language. The Department shall make suitable  
2 displays available;

3 J. Restaurants and all other commercial, industrial, institutional food  
4 preparation sites using pre-rinse heads having flow-rates greater than 1.5 gallons  
5 of water per minute;

6 K. Operating a commercial laundry system installed after November 3,  
7 2006, that does not recirculate wash and/or rinse water;

8 L. Operating a conveyor type car wash system that does not recirculate  
9 the wash and/or rinse water;

10 M. Installing a single-pass cooling systems in a building requesting a  
11 water connection after November 3, 2006;

12 N. Using potable water, rather than reclaimed water, after the General  
13 Manager has provided to the customer an analysis showing that reclaimed water  
14 is a cost-effective alternative to potable water and the customer has had a  
15 reasonable amount of time, as determined by the General Manager to make the  
16 conversion to reclaimed water.

17 Section 5. Imminent Water Supply Shortage.

18 A. The Board shall declare an Imminent Water Supply Shortage by  
19 resolution when the Board determines, in its sole discretion, that a declaration will  
20 help to avoid or lessen the impact of an imminent water supply shortage. The type  
21 of event which may prompt the Board to declare an Imminent Water Supply  
22 Shortage may include, among other factors, a finding that its wholesale water  
23 provider calls for extraordinary water conservation.

24 B. In addition to the prohibited uses of water identified in Section 4, the  
25 following uses of water are prohibited during a declared Imminent Water Supply  
26 Shortage:

27 (1) Serving drinking water to any customer in a restaurant or  
28 other public place where food is served, sold, or offered for sale unless

1 expressly requested by the customer. The Department shall make suitable  
2 displays, alerting customers to this restriction, available to restaurants and  
3 these types of other public places;

4 (2) Irrigating landscape with potable water any day other than  
5 Monday, Thursday, or Saturday, except for very short periods of time for the  
6 expressed purpose of adjusting or repairing the irrigation system;

7 (3) Irrigating landscape with potable water for:

8 (i) More than twenty (20) minutes per authorized day if using  
9 stream rotator-type or gear driven sprinkler heads rated at emitting less  
10 than one (1) gallon per minute under recommended operating pressure; or

11 (ii) More than ten (10) minutes per authorized day if using  
12 sprinkler heads rated at emitting one (1) or more gallons of water per  
13 minute under recommended operating pressure;

14 (4) Irrigating landscape using reclaimed water to the point that the  
15 landscape becomes saturated and irrigation waters flow off the landscape.

16 Section 6. Stage 1 Water Supply Shortage.

17 A. The Board may, in its sole discretion, declare by resolution that a  
18 Stage 1 Water Supply Shortage exists and that the actions outlined in this Section  
19 are necessary in order to meet the Objectives of this Plan. The type of event  
20 which may prompt the Board to declare a Stage 1 Water Supply Shortage  
21 includes, among other factors, is a reduced allocation of water by the  
22 Department's wholesale water provider.

23 B. Prohibited Uses of Water in a Stage 1 Water Supply Shortage. In  
24 addition to the prohibited uses of water identified in Sections 4 and 5, the following  
25 uses of water are prohibited during a Stage 1 Water Supply Shortage:

26 (1) Irrigating landscape with potable water any day other than  
27 Monday or Thursday, beginning on the first day of October through the end  
28 of the last day of the following March, except for very short periods of time

1 for the expressed purpose of adjusting or repairing the irrigation system;

2 (2) Filling residential swimming pools and spas with potable  
3 water;

4 (3) Other prohibited uses as determined by the Board, in its sole  
5 discretion, after notice to customers.

6 Section 7. Stage 2 Water Supply Shortage.

7 A. The Board may, in its sole discretion, declare by resolution that a  
8 Stage 2 Water Supply Shortage exists and that the actions outlined in this Section  
9 are necessary in order to meet the Objectives of this Plan.

10 B. Prohibited Uses of Water in a Stage 2 Water Supply Shortage. In  
11 addition to the prohibited uses of water identified in Sections 4, 5 and 6, the  
12 following uses of water are prohibited during a declared Stage 2 Water Supply  
13 Shortage:

14 (1) Irrigating landscape with potable water any day other than  
15 Monday or Thursday, except for very short periods of time for the  
16 expressed purpose of adjusting or repairing the irrigation system;

17 (2) Other prohibited uses as determined by the Board, in its sole  
18 discretion, after notice to customers.

19 Section 8. Stage 3 Water Supply Shortage.

20 A. The Board may, in its sole discretion, declare by resolution that a  
21 Stage 3 Water Supply Shortage exists and that the actions outlined in this Section  
22 are necessary in order to meet the Objectives of this Plan.

23 B. Prohibited Uses of Water in a Stage 3 Water Supply Shortage. In  
24 addition to the prohibited uses of water identified in Sections 4, 5, 6 and 7,  
25 additional restrictions or prohibitions on the use of water may be imposed by the  
26 Board at its sole discretion.

27 Section 9. Water Rates.

28 The Board may adjust water rates during a Board declared Stage 1, Stage

1 2, or Stage 3 Water Shortage subject to the then current Resolution fixing the Rates and  
2 Charges for Water and Sewer Service. Any increase in rates approved by the Board  
3 shall be subject to a public protest hearing as provided for in the California Constitution  
4 Article XIII.

5 Section 10. Sudden Catastrophic Water Supply Shortage.

6 When the General Manager determines that a sudden event has, or  
7 threatens to, significantly diminish the reliability or quality of the City's water supply, then  
8 the General Manager may declare a Catastrophic Water Supply Shortage and impose  
9 whatever emergency water allocation or conservation actions deemed necessary, in the  
10 General Manager's professional judgment, to protect the reliability and quality of the  
11 City's water supply and in order to meet the Objectives of this Plan, until the emergency  
12 passes or the Board takes other action.

13 Section 11. Issuance of a Notice of Violation.

14 A. A "Customer" as defined in the Long Beach Water Department  
15 Rules, Regulations, and Charges Governing Potable Water, Reclaimed Water,  
16 Sewer Service and the Water Conservation and Water Supply Shortage Plan  
17 ("Department Rules, Regulations and Charges"), shall be the party in violation of  
18 this Plan when water associated with the Customer's account is used in a  
19 prohibited manner. For each separate and distinct violation of this Plan, the  
20 Customer may be served a Notice of Violation in accordance with the Department  
21 Rules, Regulations and Charges.

22 B. Each and every day a violation exists constitutes a separate  
23 and distinct offense.

24 C. Warning Letter: Prior to receiving a Notice of Violation, Customer  
25 shall first be served a Warning letter, in accordance with the Department Rules,  
26 Regulations, and Charges.

27 D. The amount of the PUoW Charge shall be as established by the City  
28 of Long Beach Board of Water Commissioners by Resolution and listed in the

1 Department Rules, Regulations, and Charges.

2 Section 12. Reduce or Terminate Water Service.

3 Depending on the severity of the prohibited use of water and the  
4 seriousness of the water supply shortage or imminent water supply shortage, the  
5 General Manager may cause the installation of a flow restriction device or may  
6 have the water service terminated. The General Manager shall give fourteen (14)  
7 days notice that these actions may be taken unless, in the General Manager's  
8 discretion, the severity of the misuse or the severity of the shortage mandates a  
9 shorter period of time, in which case the number of days for notice shall be at the  
10 General Manager's sole discretion.

11 The Customer shall pay the cost of restricting the flow or terminating the  
12 service and shall pay the cost of re-installing full service, prior to the restoration of full  
13 service.

14 Section 13. Satisfaction of the PUoW.

15 Upon service of a Notice of Violation and PUoW Charge, the  
16 Customer shall do the following:

17 A. Remedy the violation(s) no later than the date as specified on  
18 the Notice. Correcting the violation(s) shall not excuse or discharge  
19 payment of the PUoW Charge.

20 B. Pay the PUoW Charge no later than thirty (30) days from the  
21 date of issuance of the citation as specified on the Notice. Payment of a  
22 PUoW Charge shall not excuse or discharge the failure to correct the  
23 violation(s), nor shall it bar further enforcement action by the Department.  
24 Late charges shall be imposed for PUoW payments made after the payment  
25 due date. The late charge shall be assessed per standard Department  
26 practices, and will be imposed in addition to any outstanding PUoW Charge.

27 Section 14. Appeal of Notice of Violation.

28 Any recipient of a PUoW Charge may appeal said violation in

1 accordance with the Water Department Rules, Regulations, and Charges.

2 Section 15. Hearing Procedure.

3 The hearing of any appeal of a Notice of Violation shall be conducted in  
4 accordance with the Department Rules, Regulations, and Charges,

5 Section 16. Dismissal of Notice of Violation.

6 The General Manager may dismiss a Notice of Violation at any time if it is  
7 determined to have been issued in error or upon good cause.

8 Section 17. Reservation of Rights.

9 The rights of the Department shall be cumulative to any other right of the  
10 Department stated in this Plan, the Department Rules, Regulations and Charges, the  
11 Long Beach Municipal Code, or as provided for under State or Federal law.

12 Section 18. Exceptions.

13 The prohibited uses of water in this Plan are not applicable to that use of  
14 water necessary, as determined by the General Manager, for public health and safety or  
15 for essential governmental services such as police, fire, and other similar emergency  
16 services.

17 Section 19. General Provisions.

18 A. Nothing contained in this Plan shall be construed to require the  
19 Department to curtail the supply of water to any Customer when, in the discretion  
20 of the General Manager, that water is required by that customer to maintain an  
21 adequate level of public health and safety.

22 B. Any term not defined in this Plan which is defined in the then current  
23 Department Rules, Regulations and Charges shall have the meaning stated  
24 therein.

25 C. This Plan shall apply to all customers and property receiving water  
26 from the Department wherever situated, and shall also apply to all property and  
27 facilities owned, maintained, operated or under the jurisdiction of the various  
28 officials, boards, departments, bureaus or agencies of the City.

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D. If any section, subsection, sentence, clause or phrase in this Plan or the application of it to any person or circumstances is for any reason held invalid, the validity of the remainder of this Plan or the application of such provision to other persons or circumstances shall not be affected. The Board declares that it would have passed this Plan and each section, subsection, sentence, clause, and phrase in it irrespective of the fact that one or more sections, subsections, sentences, clauses, or phrases or the application of them to any person or circumstances be held invalid.

Section 20. Approval of this Resolution.

On the effective date of this Resolution all prior Resolutions including Resolution No. WD-1232 relating to the Water Conservation and Water Supply Shortage plans of the Long Beach Water Department are hereby rescinded and superseded.

The Secretary of the Board of Water Commissioners shall certify to the passage of this Resolution and cause a copy of the Resolution to be published pursuant to Government Code Section 6061. This Resolution shall take effect thirty (30) days after the Secretary's certification.

I hereby certify that this resolution was adopted by the Board of Water Commissioners of the City of Long Beach at its meeting on \_\_\_\_\_, by the following vote:

Ayes:	Commissioners:	_____
		_____
		_____
Noes:	Commissioners:	_____
Absent:	Commissioners:	_____
		_____

Secretary  
BOARD OF WATER COMMISSIONERS

# APPENDIX A

## LONG BEACH WATER DEPARTMENT RATE SCHEDULE

### CHARGES FOR POTABLE WATER AND RECLAIMED WATER SERVICE

#### A. GENERAL

Charges for water service include a daily service charge based on meter size and a quantitative charge for water delivered.

##### 1. Service Charge

Rates for Service Charge, Volumetric (Quantitative Charge), Unmetered Service, and Reclaimed Water, shall be in accordance with the then current resolution adopted by the Board of Water Commissioners.

##### 2. Schedule of Charges

The following charges are described in Parts 1-9 of these Rules and Regulations:

- a. Meter test deposit \$ 35
- b. Service restoration charge \$ 35
- c. Unauthorized use of water cost  
\$300 + water cost + investigation cost + damages
- d. Flow restricting devices Installed or Removed (Section 207.4):

Meter size	Cost
3/4" or 1"	\$ 35
1 1/2" or 2"	60
3" or 4"	110
6"	130
8"	160
10" or 12"	210
16"	260
- e. Installation and Extension of Distribution Facilities:
  - 1. Extension of distribution facilities \$10/diameter inch/foot
  - 2. Main Frontage Charge: \$5/foot

f. Potable and Reclaimed Service Connection Fee Structures:

Meter Size	Service Installation Charge (1)	Meter Reset	Service Reduction/Enlargement (2)	Meter Relocation (3)
	Sect. 401	Sect. 420.1	Sect. 402.2 & .3	Sect. 402.4
3/4"	\$ 1,500	\$ 40	\$80	\$240
1"	1,800	40	80	310
1-1/2"	2,400	45	80	425
2"	2,800	45	80	500
3"	6,000	150	150	1,000
4"	9,000	260	260	(4)
6"	12,000	400	400	(4)
8"	15,000	600	600	(4)
10" +	(4)	(4)	(4)	

Notes:

1. The City's Department Crew will install the main line tap with tapping Saddle, valve, required length of service line material, meter and meter box.
2. For meter service reduction or enlargement of previously reduced service.
3. Cost if the distance is less than 15 ft. If it exceeds 15 ft, it will be the same cost as in a new service connection.
4. At cost, but not to exceed the cost of a new service connection.
5. If a Customer requests a meter relocation for sizes between 3/4-inch through 2-inch, before or during a main replacement project, the Department will charge a fee of \$120. The cost for relocating a meter 3-inch and larger will be at cost.

g. Potable and Reclaimed Service Fee Structures for Installation by Private Contractors:

Meter Type/Sizes	Positive Displacement	Compound Meter	Turbine Meter	Fire Meter
3/4"	\$150			
1"	200			
1-1/2"	330			
2"	450		\$ 700	
3"	750		1,000	
4"		\$3,500	1,600	5,200
6"		5,300	2,400	7,400
8"		8,200	3,400	10,000
10"			6,000	18,000

h. Killtap Charge per individual service lateral or bullhead: \$500

i. The Customer will be charged for the installation or relocation of a fire hydrant according to the sum of the following:

Lateral: (\$60.00/foot) X (Length in feet)  
 Main Line Tap: \$5,000  
 Hydrant: \$1,500  
 Kill Tap: \$500, for relocation

3. Fire Service Connections

Size	Suggested Flow Range gpm	Service Installation Charge (1)	Installation by Developer (2)
2"		\$ 2,900	\$ 1,100
3"		3,800	1,300
4"	200-1,000	7,000	1,400
6"	1,000-2,000	8,400	1,800
8"	1,500-3,000	10,500	2,800
10" +	1,500-3,500	COST	4,600

Notes:

1. The City's Department Crew will install the main line tap and valve, lateral piping, fire meter, and meter box.
2. The Department will furnish the meter only. Developer's contractor will install the service connection.

4. Temporary Service Connections (2") (On Nearest Available Fire Hydrant)

a. Install and Remove	\$120
b. Relocate	\$60
c. Monthly Meter Rent (not pro-rated)	\$60
d. Service Connection Minimum Deposit (based on meter cost)	\$500
e. Backflow Device Minimum Deposit	\$250

Notes:

1. Applicant shall pay \$60 per month for failure to submit written meter reading.
2. Tampering with the temporary meter or unauthorized use of fire hydrant water could result in the following charge: \$300 + cost of water + damage + cost of investigation.

5. Backflow Protection

- a. Customer will be billed \$177 per device tested.
- b. After water main disinfection and before acceptance transfer, Developer shall arrange and pay for bacterial coliform tests performed by the Department. The water sampling charge is \$50/trip and the charge for bacterial tests for the two analyses is \$138.

6. Fire Flow Test(s)

Customer shall pay to the Department a fee of \$450 per Fire Flow Test, prior to the Department conducting the Fire Flow Test. The fee for an additional test on the same day within a three-mile radius is \$300 for each test.

**B. FEES FOR OTHER SERVICES**

1. Department Labor and Plan Check Fees
  - Sewer Hydraulic Study, \$/hour \$ 80
  - Real Property Service, \$/hour \$ 80
  - Technical Reviews, \$/hour \$ 80
  - Surveying, \$/hour (1) \$ 60
  - Plan Checking fee, \$/hour \$ 85, OR
  - Plan Check on LBWD system:
    - \$590 + \$0.60 per L. F. of pipe in excess of 500 ft.
  - Plan Check on private system:
    - \$590 + \$0.30 per L. F. of pipe in excess of 500 ft.
  - Inspection, \$/hour \$ 65, OR
  - Construction Inspection on LBWD water OR Sewer System:
    - \$590 + \$0.50 per L. F. of pipe in excess of 500 ft.
  - Construction Inspection on LBWD water & Sewer System, same project:
    - \$590 + \$0.40 per L. F. of pipe in excess of 500 ft.
  - Construction Inspection on private water OR Sewer System:
    - \$590 + \$0.30 per L. F. of pipe in excess of 500 ft.

Notes:

Charges may be billed for any additional staking required due to damage.

2. Service Fee Deposits
  - Right of way (ROW) sketches \$140
  - ROW Processing/Easement \$400
  - Quit Claim Document \$500
  - Encroachment \$500 plus \$2/sq. ft.
  - Certificate of Compliance \$150
  - Water Hydraulic Study on LBWD hydraulic model
    - \$500 minimum for the first 5 hours, and \$ 80/hr thereafter.

3. The following charges are non-refundable:

Engineering Standard Manual	\$ 10
Bid Package (Plans & Spec.), minimum	\$ 20
Rules & Regulation	\$ 20
Developer Process Guideline	\$ 5
Computer diskette with design information	\$ 5
Water or Sewer district map	\$ 5
Return check charge	\$ 15

Drawing/Prints:

Size	First Copy	Each Additional Copy
8.5" X 11"	\$0.50	\$0.50
11" X 17"	\$1.00	\$1.00
17" X 22"	\$6.00	\$2.00
22" X 34"	\$7.00	\$4.00

## APPENDIX B

### LONG BEACH WATER DEPARTMENT RATE SCHEDULE

#### CHARGES FOR SEWER SERVICE

##### A. GENERAL

The Sanitary Sewer rates are based on water service size and water consumption, and apply to all users who are connected to the City's Sanitary Sewers. Low income senior citizens and low income disabled water customers who are exempt from the City's Utility User Tax are exempt from the Sewer rates.

##### 1. SEWER SERVICE RATE

Rates for Sewer Service, the Capacity Charge, and Sewer charges for Customers without water service shall be in accordance with the then current Resolution adopted by the Board of Water Commissioners.

##### 2. SCHEDULE OF CHARGES

The following charges are for Parts 10 -18:

- A. Industrial Waste Permit (IWP) Application:
  - Initial Processing Charge \$200
  - IWP with flow meter \$300
  - IWP with treatment system \$400
  - Revisions to Current Permit \$110
- B. Grease Interceptors \$ 80
- C. Authorization to discharge contents of Cesspools, Septic Tanks and other permissible waste fluids into Public Sewer (Per Truck Load) \$ 28
- D. Unauthorized discharge of Septic Tanks and Cesspool contents, if applicable: \$300 Minimum + cost of investigation
- E. The Department will arrange for an authorized private contractor to perform services such as Sewer cleaning or TV-video taping and bill the customer at cost plus a 35% administrative cost.
- F. Permit to construct a 6-inch house connection \$160
- G. Permit to connect to existing 6-inch House Connection or repair House Connection \$135
- H. Permit to abandon existing House Connection \$105
- I. Permit to construct a 6, 8, or 10-inch House Connection to a manhole \$325
- J. Subsequent Inspection Charge, each trip \$ 60
- K. Prepaid deposit on sewer cover for special events \$60

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## **APPENDIX C**

### **WATER CONSERVATION AND WATER SUPPLY SHORTAGE PLAN**

Refer to Resolution No. WD-1209

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## **APPENDIX D**

### **Rates and Charges for Water and Sewer Services** (Effective 10/1/02)

Refer to Resolution No. WD-1158

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