

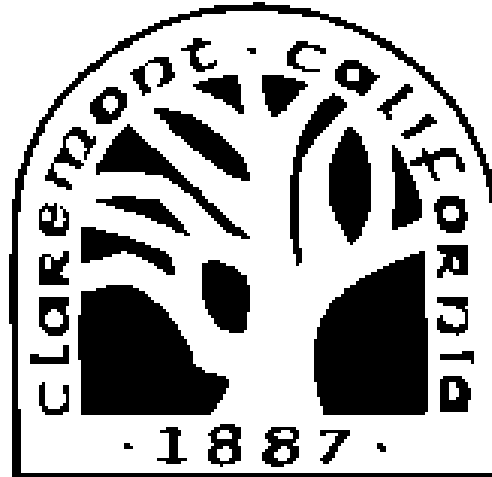
TITLE 13
SEWERS

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***13.16.00E Editor's note to chapter 13.16.**

Prior ordinance history: Ord. 82-3 and prior code §§ 19.8, 19.9, 19.22, 19.23, 19.24.



TITLE 13

SEWERS

Chapter 13.02

CONNECTION REQUIREMENTS

Sections:

- 13.02.010 Available sewers.**
- 13.02.020 Existing construction.**
- 13.02.030 Land subdivisions.**
- 13.02.040 New construction.**
- 13.02.050 Annexation 52-A.**

13.02.010 Available sewers.

For the purposes of this chapter, "available sewers" are public sanitary sewers within two hundred lineal feet of the nearest point of the parcel with respect to which availability is being determined, which sewers have the capacity to accept sewage discharged from that parcel. (82-12)

13.02.020 Existing construction.

Plumbed buildings lawfully connected to private sanitary systems as of December 9, 1982, shall connect to the public sanitary systems in the following circumstances:

- A. Availability of Sewers. All plumbed buildings shall be required to connect to public sanitary sewers within six months of availability. The six-month period shall commence when the city engineer mails written notice to the record owner of the property. The city engineer may extend this period for up to an additional one hundred eighty days if he determines that a shorter period of time is impractical.
- B. Grant Areas. All existing construction located in areas of the city served by sewers funded through public grants shall be subject to any mandatory connection criteria established by such grants, in addition to the requirements of subsection A of this section.
- C. Failed Septic Systems. All existing plumbed buildings experiencing failed septic systems shall connect to an available public sewer immediately upon such failure.
- D. Exemptions. The planning commission may grant exemptions from the requirements of subsections A or C of this section if the commission determines, upon application of the property owner, based upon the application and such additional relevant scientific and engineering information as the commission may require the applicant to provide, that connection to public sewers will involve unusual logistical hardship (for example, a significant difference in grade level). As a condition of granting the exemption, the planning commission may require the installation of dry sewers and consent to participate in a sewer assessment district. (95-06; 82-12)

13.02.030 Land subdivisions.

As a condition of approval of any subdivision of land into two or more parcels after December 9, 1982, public sanitary sewers shall be made available to the new parcels by the landowner in the following circumstances:

- A. A division of land creating three or fewer additional parcels shall be required to make public sanitary sewers available when the nearest public sanitary sewers are within a distance equal to two hundred lineal feet plus two hundred lineal feet per additional parcel created.
- B. A division of land creating four or more additional parcels shall be required to provide public sanitary sewers for all parcels.
- C. In determining the number of parcels, all parcels created since December 9, 1982, from the subject property, or from contiguous property under common ownership on December 9, 1982, or at the time of application shall be included, as it is the intent of this chapter that property owners be treated in like fashion and that successive re-subdivisions shall not be a means for evading the intention of this chapter to eliminate unsewered development in the city.
- D. Upon recommendation of the city engineer, this requirement may be satisfied by an election to participate in a sewer assessment district, or the posting of bonds, or both. (82-12)

13.02.040 New construction.

All new construction permitting increased occupancy, in the case of nonresidential property, or involving the creation of additional bathrooms, laundry rooms or kitchens in the case of residential property, shall connect to public sanitary sewers before the issuance of a certificate of occupancy, in the case of new structures, or before permission is granted to connect to utilities, in the case of remodeling or renovations. The planning commission may grant an exemption from this requirement for the construction of the first dwelling unit on a parcel zoned for residential development if the commission determines, based upon the application from the property owner and such additional relevant scientific and engineering information as the commission may require the applicant to provide, the following:

- A. That public sanitary sewers are not available. If the property was one of two or more contiguous undeveloped parcels in common ownership as of December 9, 1982, or as of the date of application, sewers shall be deemed available if they are within a distance of two hundred feet times the number of such parcels; or
- B. It can be demonstrated to the city's satisfaction that connection to public sewers will involve unusual logistical hardship (e.g., a significant difference in grade level).

As a condition of granting the exemption, the planning commission may require the installation of dry sewers at the time of construction, approval of the proposed septic system design and location by the city engineer or his designee, consent to participation in a sewer assessment district, and such other conditions as may encourage the eventual installation of public sanitary sewers to serve the property. (95-06; 82-12)

13.02.050 Annexation 52-A.

In that portion of the city including Annexation 52-A, the following rules shall apply and shall take precedence over the rest of the requirements of this chapter. In this area, connection to sewers shall be required only in the following circumstances:

- A. Existing Construction. An existing plumbed building experiencing a failed septic system shall connect to a public sewer immediately upon such failure if there is a sewer available within two hundred fifty lineal feet from the proposed point of connection to a main line. Connection may also be required if a public health agency determines that the defective system is a health hazard.
- B. Land Subdivision.
 - 1. A division of land involving more than five gross acres shall connect to public sewers.
 - 2. A division of land involving five or fewer gross acres need not connect to public sewers if the nearest public sewer is more than two hundred fifty feet away and no public health agency has determined that development without sewers would constitute a public health hazard. If subdivision is permitted without sewers, the installation of dry sewers shall be required, and provision shall be made for participation in a sewer assessment district at such time as the city may require it.
 - 3. In determining the size of a subdivision, all contiguous land in common ownership as of the date of annexation shall be included, as it is the intent of this chapter that property owners be treated in like fashion and that successive resubdivision shall not be a means for evading the intention of this chapter. (82-12)

SEWER CONNECTIONS

Sections:

- 13.04.010 Connection--Permit required.**
- 13.04.020 Connection--Application--Connection fee.**
- 13.04.040 Tapping public sewer where no "Y" branch is installed.**
- 13.04.050 House connection required.**
- 13.04.060 Street repaving charges.**
- 13.04.070 Easement required for connections through adjoining property--Affidavit.**

13.04.010 Connection--Permit required.

It is unlawful for any person to make or cause to be made any excavation in public property or to install or cause to be installed any sewer therein, or to make or cause to be made any connection to a public sewer, without first having made application to, and having obtained the proper permit therefor from the engineering department of the city. (Prior code § 19.1)

13.04.020 Connection--Application--Connection fee.

All persons desiring to connect to the municipal sanitary sewer system shall make application to the engineering division of the city. The following fees are established, prescribed, and imposed to be paid to the city for sewer connections. The city engineer shall not permit a sewer connection to the sewer lines without the fees being paid to the treasurer of the city the sum determined by this section.

1. Single-family residence, five hundred dollars per family unit;
2. Multiple dwelling units, three hundred dollars per unit;
3. Commercial/industrial, one hundred dollars per one thousand square feet or portion thereof; minimum of five hundred dollars;
4. Use not otherwise classified, to be determined by the city engineer;
5. Major building additions to existing connections, to be determined by the city engineer;
6. All connections, twenty-five dollars per average front foot as reimbursement for sewer main constructed by the city, unless party requesting connection can verify previous payment for sewer main installation. (90-26; 88-2; 76-2; prior code § 19.29)

13.04.040 Tapping public sewer where no "Y" branch is installed.

A. Whenever it becomes necessary to connect a house connection sewer to a public sewer at a point where no special "Y" branch has been installed in the public sewer, the connection shall be made in the presence of an inspector of the engineering department of the city and in the following manner:

1. A hole shall be made in the public sewer by cutting into the pipe and then inserting a standard saddle which shall be made for the particular size of pipe on which it is to be placed and which must fit snugly against the exterior wall of the public sewer pipe.
2. The "Y" saddle shall be placed in the side of the public sewer pipe with the "Y" branch upward at approximately forty-five degrees from the horizontal and so pointed as to direct the flow from the house connection sewer downstream in the public sewer.
3. After fitting the saddle to the exterior of the public sewer pipe, any portion of the lip of the saddle found to extend beyond the interior surface of the public sewer pipe shall be removed before such saddle is bound in place.
4. The saddle shall be fastened in place by heavy twelve-gauge galvanized, asphalt-painted iron wire bound around the main line pipe and the flange of the saddle.
5. After the saddle is in place an imbedment of cement concrete shall be placed under and around the joint so as to entirely encase the saddle and the public sewer pipe.
6. The inside of the joint between pipe and saddle shall be painted with 1:2 cement mortar.

(Prior code § 19.4)

13.04.050 House connection required.

Four-inch house connection sewer service shall be provided in the street for each lot and the depth shall be sufficient to provide a connection to the lowest and farthest point of the lot with a cover of one foot and a grade of not less than two percent. (Prior code § 19.5)

13.04.060 Street repaving charges.

Before any permit to excavate is issued, a deposit to cover the fixed charges for repairing or replacing any street or portion thereof damaged or removed by any person pursuant to a permit issued under the provisions of this chapter shall be made with the city clerk. The fixed charges shall be determined by the city engineer and based on current pavement replacement costs, being a minimum of one dollar and fifty cents per square foot of excavation. (79-23; prior code § 19.6)

13.04.070 Easement required for connections through adjoining property--Affidavit.

A house connection sewer from any building or other structure shall not be connected to any public sewer, if such connection or any portion thereof is in, under or upon any lot other than that lot on which such building or structure is located; provided, however, that if a lot or parcel of land requiring a sewer connection is so situated that access to the public sewer is not possible, except across some other lot or parcel of land, a sewer connection may be placed in a recorded easement, which shall include the right to lay and maintain such connection and is appurtenant to the lot or parcel of land to be served by such sewer connection; provided further, that a permit as required by Section 13.04.010 for the above-mentioned house connection sewer shall not be issued unless and until the application for a permit is accompanied by an affidavit, notarized, and setting forth that the required private easement has been granted to the lot requiring such sewer connection and that such easement has been recorded with the county.

A copy of the affidavit shall be attached to a copy of the permit when issued, and shall become a part of the record of the engineering department of the city. (Prior code § 19.7)

Chapter 13.08

SERVICE FEES

Sections:

- 13.08.010 Fees established--Schedule.
- 13.08.020 Exemptions from provisions of Section 13.08.010.
- 13.08.030 Fees--When due.
- 13.08.040 Fees--Collection.
- 13.08.050 Penalty for delinquency.
- 13.08.060 Delinquent accounts--Collection--Costs to become lien when.
- 13.08.070 Deposits to insure collection.
- 13.08.080 Deposit of moneys collected--Recordkeeping.
- 13.08.090 Use of fees collected.

13.08.010 Fees established--Schedule.

A. Pursuant to the authorization contained in Section 5470 et seq. of the Health Safety Code, the following fees are established, prescribed, and imposed to be paid to the City for services and facilities furnished by the City in connection with its sanitary sewerage system. These fees are established as a fixed cost per year and may be billed annually, semi-annually, quarterly, bi-monthly or monthly as determined by the Administrative Services Director.

Classification

Sewer Service Fee

A. Single-family residences (includes PUDs, duplexes, triplexes, fourplexes, condominiums and apartments)	\$50.35/year per dwelling unit
B. Dormitories, rest homes, hospitals, and institutional buildings	\$8.70/year per resident
C. Colleges, private, and public schools	\$0.34/year per student
D. Hotels, motels, businesses and industrial establishments	\$0.134/ccf of water usage
E. Religious facilities	\$16.00/year per building
F. Low income (20% discount)	\$40.28/year per dwelling unit

Notes:

1. One ccf equals one hundred cubic feet of water.
2. Religious facilities used for child care to be assessed the additional fee spelled out for private schools.
3. A minimum fee of \$13.40 will be charged for hotels, motels, businesses and industrial establishments.

(01-05, 90-30; 88-3; 75-3; prior code § 19.13)

B. Low-Income Discount. Effective the billing period after completion and submittal of an application to the City's Administrative Services Department, occupants of single-family dwellings shall be eligible for a twenty percent (20%) fee reduction as long as the occupant receives a billing for service and meets one of the following conditions:

1. The combined gross income of all members of the residence has been demonstrated to the satisfaction of the Administrative Services Director or his/her designee to be less than the amount established for Los Angeles County by the United States Department of Housing and Urban Development for very low-income families for the applicable household size.
2. The occupant has qualified for the utility user's tax exemption. In such case, eligibility for this discount is automatic and the occupant need not submit an application. (01-05)

13.08.020 Exemptions from provisions of Section 13.08.010.

All homes and buildings which are not connected to the city sewer system will be exempted from the service charges provided for in Section 13.08.010, upon the filing of an affidavit with the city manager, setting forth that such buildings or homes are not connected to the city sewer system; provided, however, that the city manager shall have the right to verify such fact. (Prior code § 19.14)

13.08.030 Fees--When due.

A. The service fees established by this chapter shall be charged on an annual basis and shall be billable annually, semi-annually, in two installments, quarterly in four installments, bi-monthly in six installments, or monthly in twelve installments. Those fees that have a fixed rate will be billed in equal installments. The period of billing shall be established by the Administrative Services Director.

B. All bills are due upon receipt and shall become delinquent thirty days after said receipt.

C. Any new service connection made during the fiscal year shall be charged a fee based upon the applicable provisions of this chapter, prorated on the annual rate, beginning with the first day of the month of connection, and no credit will be allowed for a portion of a month's service. (01-05; 90-30; 88-3; prior code § 19.15 (1951))

13.08.040 Fees--Collection.

The fees provided for by this chapter may be collected by the City through its own services and employees, by any publicly or privately owned public utility with which the City may contract for such collection, by any bank, or through the County in accordance with State law, including the lien provisions of the California Health and Safety Code. The City is hereby authorized to contract with any public or private entity for collection services. In such cases, the delinquency may include the assessment of a reasonable collection fee for such services. All statements for such fees shall be sent by United States mail, postage prepaid, to the person responsible for such fees at his/her last address shown upon the City records or in accordance with applicable provisions of State law. (01-05)

13.08.050 Penalty for delinquency.

There shall be added to all fees provided for by this chapter a penalty for failure to pay the fees before delinquency, to be computed as follows: ten percent of the amount of the fee, plus one-half percent for each month, or portion of a month, after the delinquent date. (Prior code § 19.16)

13.08.060 Delinquent accounts--Collection--Costs to become lien when.

Any fees authorized pursuant to Section 13.08.010 which remain unpaid for a period of six or more months after the date upon which they were billed may be collected thereafter by the city as provided as follows:

A. The city council shall cause a report of delinquent rubbish and sewer fees to be prepared periodically. The council shall fix a time, date and place for hearing the report and any objections or protests thereto.

B. The council shall cause notice of the hearing to be mailed to the landowners listed on the report not less than fourteen days prior to the date of the hearing.

C. At the hearing the council shall hear any objections or protests of landowners liable to be assessed for delinquent fees. The council may make such revisions or corrections to the report as it deems just, after which, by resolution, the report shall be confirmed.

D. The delinquent fees set forth in the report as confirmed shall constitute special assessments against the respective parcels of land and are a lien on the property for the amount of such delinquent fees plus late charges and cost of lien. A certified copy of the confirmed report shall be filed with the city clerk, or auditor appointed by the city council, for the amounts of the respective assessments against the respective parcels of land as they appear on the current assessment roll. The lien created attaches, upon recordation in the office of the county recorder of a certified copy of the resolution of confirmation. The assessment may be collected at the same time and in the same manner as ordinary city ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as provided for such taxes. All laws applicable to the levy, collection and enforcement of city ad valorem property taxes shall be applicable to such assessment. (Prior code § 19.20)

13.08.070 Deposits to insure collection.

The city council shall have the right to require any person liable to pay any charge fixed by this chapter, to make a reasonable deposit with the city manager to insure collection. (Prior code § 19.21)

13.08.080 Deposit of moneys collected--Recordkeeping.

The city treasurer shall be responsible for all moneys collected and shall deposit the same in the sewer improvement fund of the city. He shall keep an accurate record showing the service and collections at each location. (Prior code § 19.18)

13.08.090 Use of fees collected.

All sewerage service fees collected shall be used for the purposes, and only for the purposes, prescribed or permitted by Section 5471 of the Health and Safety Code. (Prior code § 19.19)

Chapter 13.16

PERMITTED AND PROHIBITED DISCHARGES

Sections:

- 13.16.00E Editor's note to chapter 13.16.**
- 13.16.010 Adoption.**
- 13.16.020 Definitions.**
- 13.16.030 Exceptions.**
- 13.16.040 Penalties.**

13.16.00E Editor's note to chapter 13.16.

* Prior ordinance history: Ord. 82-3 and prior code §§ 19.8, 19.9, 19.22, 19.23, 19.24.

13.16.010 Adoption.

The wastewater ordinance of the sanitation district of the county, enacted April 1, 1972, as amended November 1, 1989, is adopted by reference as the uniform wastewater ordinance for the city, subject to the exceptions contained in Sections 13.16.020 and 13.16.030. (90-27)

13.16.020 Definitions.

The definitions contained in the county sanitation districts' wastewater ordinance shall control the construction and interpretation of this chapter with the following exceptions:

- A. The chief engineer shall mean the city engineer;
- B. The district shall mean the city of Claremont;
- C. The local agency shall mean the city of Claremont;
- D. The board of directors shall mean the city council. (90-27)

13.16.030 Exceptions.

The following sections of the county sanitation districts' wastewater ordinance are excepted from inclusion under Section 13.16.010: Sections 208, 209, 210, 211, 212, 213, 214, 215, 218, 408, 409, 410, 411, 412, 414, 415, 416, 418, 419, 421, 422, 423, 424. (90-27)

13.16.040 Penalties.

Every person who violates any provisions of this chapter is guilty of a misdemeanor, and upon conviction is punishable as provided by law. Each day during which any violation continues shall constitute a separate offense. (90-27)

Chapter 13.20

MANHOLE REGULATIONS

Sections:

13.20.010 Opening manholes deemed misdemeanor when.

13.20.010 Opening manholes deemed misdemeanor when.

Any person not holding a valid permit to do so, or who is not a bona fide employee of the city in line of duty, who opens or enters, or causes to be opened or entered, any manhole in any public sewer to dispose of garbage or other deleterious substances, or stormwater or surface water or for any other purpose whatsoever, is guilty of a misdemeanor. (Prior code § 19.10)