



Pauma Valley Community Services District
ORDINANCES

NO. 54

Approval Date:
03/25/2019

ADOPTING A PORTION OF THE 2016 CALIFORNIA
PLUMBING CODE AND CLARIFYING OWNERSHIP OF
SEWER LATERALS

AN ORDINANCE OF THE PAUMA VALLEY COMMUNITY SERVICES
DISTRICT ADOPTING CHAPTER 7 (SANITARY DRAINAGE) OF
PART 5 (PLUMBING CODE) OF THE 2016 CALIFORNIA BUILDING
STANDARDS CODE (CAL. CODE OF REGS., TITLE 24) AND
CLARIFYING OWNERSHIP OF SEWER LATERALS

WHEREAS, the Pauma Valley Community Services District (“District”) is a public agency organized under the Community Services District Law set forth in Government Code Section 61000 *et seq.*; and

WHEREAS, California Government Code Section 50022.1 authorizes local agencies to enact an ordinance which adopts a code by reference, in whole or in part; and

WHEREAS, the District desires to adopt Chapter 7 of Part 5 of the California Building Standards Code (Cal. Code of Regs., Title 24), published and adopted by the California Building Standards Commission and made effective as of January 1, 2017; and

WHEREAS, additionally, the District recognizes that the streets within the District’s service area are a combination of Public Streets of the County of San Diego Public Right of Way (Public ROW), and Private Streets owned and operated by the Pauma Valley Roadway Association (Private ROW), both deemed ROW for the purpose of this ordinance; and

WHEREAS, the District desires to clarify that any installation, repair, maintenance or replacement of any sewer laterals, or portion thereof, not located within a ROW or public property is to be performed at the sole cost and expense of the respective private property owner or occupant where the sewer lateral is located.

NOW, THEREFORE, the Board of Directors of PAUMA VALLEY COMMUNITY SERVICES DISTRICT ordains as follows:

Section 1. The above recitals are true and correct and are incorporated herein and made an operative part of this Ordinance.

Section 2. Pursuant to the District’s authority under Government Code Section 50022.1, the Board of Directors hereby adopts Chapter 7 of Part 5 of the California Building Standards Code (Cal. Code of Regs., Title 24), published and adopted by the California Building Standards Commission and made effective as of January 1, 2017.

Section 3. The Board of Directors hereby declares that any installation, repair, maintenance or replacement of any portion of a Private Sewer Lateral conveying wastewater to a Public Sewer Lateral is to be performed in accordance with the California Plumbing Code adopted herein and at the property owner or occupant's sole cost and expense, and that the District is not responsible for any such expenditures incurred by the respective property owner or occupant. A Public Sewer Lateral is any portion of a sewer lateral, inclusive of the wye connection to the main line pipe, located within a ROW or a public property in the District's service area. A Private Sewer Lateral is any portion of a sewer lateral that is located within a privately-owned property in the District's service area, outside a ROW or a public property.

Section 4. The Board of Directors hereby further declares the property owner is not responsible for repair and maintenance costs for any sewer related problems within the Public ROW. If during the maintenance and repair process within the Public ROW, the District determines the root cause of the failure is due to the property owner's lateral and use, all costs associated with the repair will be charged to the property owner. If the property owner disputes the determination made by the District the Board of Directors shall hear the dispute at a regular board meeting and make a decision. The decision shall be final, and collection of payment will follow normal District procedure.

Section 5. Nothing herein shall be interpreted to mean that the District is responsible for the cost of establishing any sewer connection.

Section 6. All District ordinances or parts of ordinances in conflict herewith are hereby superseded by this ordinance.

Section 7. The invalidation of any section, clause, sentence, or provision of this ordinance shall not affect the validity of any other part of this ordinance which can be given effect without such invalid part or parts.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of the Pauma Valley Community Services District held Monday March 25, 2019, by the following roll-call vote:

AYES: Logan, Winn, Schultz, Jacobs, Person

NOES: 0

ABSENT: 0

ATTEST:



General Manager



President