
5. SEWER PERMIT, COMMERCIAL

5.01 Will Serve Letter

A Will Serve Letter for an individual parcel may be issued by the District at the request of the owner or their agent. The purpose of the Will Serve Letter is to provide an owner or their agent assurance that the District has sufficient capacity to provide sanitary sewer service for the proposed commercial project on the parcel. Each Will Serve Letter is issued based on a “statement of facts” provided by the owner or their agent on the date of that issuance. The statement of facts is simply the planned use of the parcel with respect to sanitary sewer flows, including type, concentration, and amount of waste to be discharged into the District’s sanitary sewer system.

Any change in the statement of facts from the date the Will Serve Letter was issued may impose a different or greater demand upon the District's sanitary sewer system. The District shall be notified of any change in the statement of facts. Failure to do so is a violation subject to penalties as provided by Section 6523 of the Health and Safety Code.

The Will Serve Letter for sewer availability, in addition to all other terms and conditions required by the District, shall not provide any unconditional guarantee, priority or reservation of capacity. The reception of a Will Serve Letter provides that sanitary sewer service is solely upon a first come, first served basis and only to the extent there is then remaining available capacity in the physical facilities for conveyance and treatment. The Will Serve Letter also provides that District services such as plan check review, field visits, and inspections will be authorized only upon payment of all then applicable deposits, fees and charges and in accordance with and subject to all then applicable District requirements.

5.02 Plan Check Review

The owner or their agent desiring to connect to the sanitary sewer shall be required to meet the requirements of Plan Check Review as outlined by the District. The District shall provide a Plan Check Review checklist form, indicating thereon the information to be furnished by the applicant. The District may require in addition to the requirements of the printed form, any additional information, specifications, and improvement plans from the applicant which will enable the District to determine that the proposed work or use complies with the provisions of the District Code.

All applicable fees and deposits are required upon submittal of a request for Plan Check Review.

The owner or their agent must make the Request for Plan Check Review in person. A valid, signed Grading Permit or Building Permit issued by the appropriate agency is required upon submittal of a Request for Plan Check Review.

A Request for Plan Check Review shall be issued on a first come, first served basis.

Improvement plans are not approved until signed by the General Manager. Improvement plans approved as acceptable to District Code requirements within Plan Check Review are authorized for construction, provided all deposits, fees, and charges are paid as detailed on Appendix A-1, A-2, A-3, and A-4, pages 67, 69, 71, and 73.

Project improvement plans approved by the District that are not constructed within 2 years of signature approval by the General Manager shall be subject to existing District Code requirements and may require additional Plan Check Review by the District.

Any change in the drawings with respect to the sanitary sewer after Plan Check approval is granted involving design changes to the sanitary sewer system, more construction, or an increase in the number of units, hookups, taps, or fixture units than that for which the Plan Check approval was issued shall be considered an unauthorized usage and is prohibited until an additional review is completed, permission to proceed is granted, and all appropriate deposits, fees and charges are paid.

Except by special agreement with the District, no customer or user of the District's sanitary sewer system shall connect, or permit any other person to connect additional sanitary sewer facilities other than those authorized within the Plan Check Review process.

5.03 Transfer of Title of a Partially Completed Project

A person or party to which Plan Check approval has been issued may transfer title of a partially completed project to another person solely for the same lot or premises for which the Plan Check approval was issued, subject to all terms and conditions under which the Plan Check approval was issued. The transferee shall meet all requirements of the District relating to the transfer. The usage of Plan Check approved improvement plans for a lot or premises other than the lot or premises for which the approved improvement plans were issued shall be considered an unauthorized usage and is prohibited.

Prior to the District's approval of the title transfer for the same lot or premises, the District shall inspect the lot or premises for which the Plan Check approval was issued. The purpose of this inspection shall be for the District to verify that the amount of construction and the number of units, hookups, taps, fixture units and facilities had not increased from that authorized by the Plan Check approval.

The District may require that the permittee or applicant first provide a revised set of improvement plans showing the different design and pay all deposits, fees and charges required by the District.

These requirements are in addition to other requirements or limitations imposed upon the usage of permits as set forth in the District Code.

5.04 Excessive Projected Waste Flows

Any owner or their agent proposing to have wastewater discharged from any property to the District's sanitary sewer system in quantities, or at a rate greater than the capacity for which the sewer was designed, when such additional quantity will immediately overload the sewer, shall be denied the right to discharge more than the proportionate share allotted to the property. If, however, the capacity will not be exceeded immediately, but will be exceeded sometime in the future, the General Manager may enter into an agreement with the owner to permit connection to the sewer. Such agreement shall be in a form acceptable to the District and shall include, at a minimum:

- A covenant requiring the owner to construct, cause to be constructed, or share in the cost of constructing improvements to the sewer system in order to enlarge the capacity of the sewer at such future time as the General Manager determines.
- A provision binding subsequent owners of the property.
- A bond or other form of security acceptable to the General Manager to guarantee compliance with the terms of the agreement.

5.05 Large Land Developments

Large land developments that require connection to the District's sanitary sewer system may require the owner or their agent to enter into an improvement agreement with the District outlining the terms and conditions applicable to the particular project.

5.06 When Sewer Permit is not Required

The provisions of this Division requiring Sewer Permit shall not apply to sewer contractors constructing public sewers and appurtenances under contracts awarded by the Board of Directors.