

EAST PALO ALTO SANITARY DISTRICT

Ordinance No. 38

ORDINANCE AMENDING SECTIONS 402 AND 405
OF THE DISTRICT SANITARY CODE

The District Board of East Palo Alto Sanitary District does ordain as follows:

Section 1. The Sanitary Code of East Palo Alto Sanitary District (the "Code"), which Code was approved and adopted pursuant to District Ordinance No. 23 and which has previously been amended, is further amended as follows:

(a) Section 402 of Article IV of the Code is amended to read as follows:

Section 402: Separate Side Sewers.

(a) Except as otherwise provided in Subsections (b) or (c) below, each separate building shall be connected to the District's wastewater, system with a separate side sewer. All costs to install, connect, repair, renovate, replace, disconnect, reconnect or relocate the side sewer shall be the responsibility of the property owner, who shall cause any such work to be performed in accordance with the District's Standard Specifications and other regulations.

(b) One or more buildings located on property owned by the same person may be served by the same side sewer if the Manager determines that it is unlikely that ownership of the property can or will be divided in the future. However, if for any reason, the ownership of the property is subsequently divided, each building under separate ownership shall be provided with a separate side sewer, and thereafter it shall be unlawful for any person to continue to use or maintain a common side sewer. The cost to install the separate side sewer shall be the responsibility of the property owner whose property it serves.

(c) Single family residential units with common walls, condominiums, stock cooperatives, community apartments or other similar improvements which entitle owners of interests therein to occupy independent ownership interests and to make joint use of utility and other services, which may be provided by facilities owned in common, may, upon issuance of a permit authorizing such common use by the Manager, be permitted to maintain a common side sewer or sewers.

(b) Section 405 of Article IV of the Code is amended to read as follows:

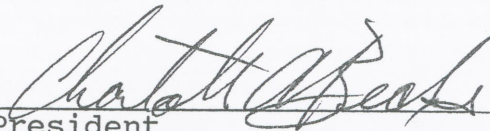
Section 405. Maintenance of Side Sewer.

It shall be the responsibility of the property owner to maintain the side sewer, except that if a cleanout is provided pursuant to Section 403, the District will maintain the flows of wastewater in the lateral sewer portion of the side sewer by such periodic cleaning as the District deems reasonably necessary and by removal of stoppages or obstructions to flows which are called to the District's attention. If there is a stoppage or obstruction in the lateral sewer which is due to the fault of occupants of the real property, the property owner shall reimburse the District for all expenses incurred in clearing the stoppage or obstruction.

Except for the obligation to maintain flows in the manner indicated above, all other matters having to do with the operation and condition of side sewers, their cleanouts and any other wastewater facilities required to serve a connector's buildings shall be the responsibility of the property owner, who shall keep them in good operating condition at all times and shall undertake all necessary repairs, including replacement of dilapidated and worn out components, at the property owner's expense and at no cost to the District. All repairs to and replacements of wastewater facilities shall be performed in accordance with the District's Standard Specifications.

Section 2. The District Board finds and determines that the enactment of this Ordinance is not a "project" as that term is used in the California Environmental Quality Act ("CEQA"; California Public Resources Code §§21,000 et seq.) or the State CEQA Guidelines (California Code of Regulations, Title 14, Section 15,000 et seq.). Therefore, no environmental assessment is required or necessary.

Section 3. Upon adoption, this Ordinance shall be entered in full in the minutes of the District board, shall be posted for one (1) full week in three (3) public places in the District, there being no newspaper of general circulation published in the District, and shall have full force and effect from and after completion of posting.



President
East Palo Alto Sanitary District