

ORDINANCE NO. 1-2025

AN ORDINANCE OF THE TRUCKEE SANITARY DISTRICT BOARD OF DIRECTORS AMENDING SECTIONS 2.01, 2.05, AND APPENDIX A-7.7 OF THE DISTRICT CODE (ORDINANCE 1-2021) REGARDING THE DEDICATION OF SANITARY SEWER FACILITIES

WHEREAS, Chapter 2 of the District Code contains requirements for new connections and alterations to existing connections to the Truckee Sanitary District's ("District") sanitary sewer system; and

WHEREAS, Sections 2.01, 2.05, and Appendix A-7.7 describe, among other things, how dedications are to be accepted by the District; and

WHEREAS, the District Code currently requires that all dedications, regardless the size of the improvements being offered for dedication, are considered for acceptance by the District Board; and

WHEREAS, the District has determined that a delegation of authority to the General Manager will improve the efficiency of District operations and streamline the development process for members of the public who are connecting to the District's sewer collection system.

NOW, THEREFORE, the Board of Directors of the Truckee Sanitary District does ordain as follows:

Section 1: The Recitals set forth above are true and correct and are incorporated by reference into this Ordinance.

Section 2: Amendment to Section 2.01, 2.05, and Appendix A-7.7 of the District Code.

Sections 2.01, 2.05, and Appendix A-7.7 of the District Code are hereby amended to read as follows (new language is underlined, deletions are in ~~strikeout~~):

2.01 Dedication of Sanitary Sewer Facilities

a. New Facilities:

- 1.** Whenever new sanitary sewer facilities are to be dedicated to the District for operation and maintenance, the facilities shall be constructed and tested in accordance with the District Code requirements that are in force on the date the improvement plans were approved by the District, provided such construction is completed within 2 years of the plan approval date.

2. Improvement plans not completed within 2 years of the approval date, as indicated by the General Manager's dated signature on the plans, shall be updated to current District Code requirements.
3. Acceptance of dedication of new sanitary sewer facilities occurs after all District Code requirements and procedures are met as determined by the District.
4. Dedication acceptance is approved ~~by resolution~~, by the Board Directors for all dedications with an improvement value over \$50,000. All other dedications may be accepted on the District's behalf by the General Manager or their designee. See Section 2.05, Extension of and/or Alterations to Sanitary Sewer Facilities, and Section A 7.7, Guarantee of Delivery and Title.

b. Existing Facilities:

1. Existing sanitary sewer facilities to be dedicated to the District for operation and maintenance shall be repaired, upgraded and tested in accordance with the current District Code requirements prior to their being dedicated to the District.
2. Acceptance of dedication of existing sanitary sewer facilities occurs after all District Code requirements are met as determined by the District.
3. Dedication acceptance is approved, ~~by resolution~~, by the Board of Directors for all dedications with an improvement value over \$50,000. All other dedications may be accepted on the District's behalf by the General Manager or their designee.

2.05 Extension of and/or Alterations to Sanitary Sewer Facilities

- a. An owner may request an extension of sanitary sewer facilities and/or alterations to existing sanitary sewer facilities in order to obtain sanitary sewer service from the District. The owner shall be required to design and install, in accordance with District Code requirements, all such sanitary sewer facilities required by the extension and/or alteration.
- b. The District, at its option; however, may require the owner to install sanitary sewer facilities with more capacity, of greater length, or of a different route than would be required for the service requested, (excess facilities). In such events, the District may reimburse the owner for the costs of such excess facilities if such excess facilities are required solely to benefit, improve or upgrade service to existing or other District customers. If, however, such excess facilities are deemed necessary by the District for the orderly development of an integrated sanitary sewer system in the area of the proposed pipeline extension and/or alteration, the District may require the owner to design, install, and pay the cost of such excess facilities. Under such case, the owner may be entitled to reimbursement pursuant to "Reimbursement Agreements" as outlined on Section 2.05(f), ~~Extension of and/or Alterations to Sanitary Sewer Facilities.~~

c. Dedication:

- 1.** If the sanitary sewer facilities installed under the premises described above are offered for dedication to the District, all requirements as specified in Section A-7.7, Guarantee and Delivery of Title, shall be met before the dedication is accepted by the District Board of Directors or General Manager.

d. Specification and Fees:

- 1.** The size and location of the sanitary sewer facilities installed shall be specified by the District in writing. Type and quality of material used in the installation of the sanitary sewer facilities shall meet the requirements specified in Appendix A-7, District Standard Specifications.
- 2.** The installation of sanitary sewer facilities does not eliminate or affect the owner's obligation as to any other fee requirements as specified in this Code or as determined by the District.

e. Reimbursement Agreements:

- 1.** At the District's option, the District may, prior to dedication, enter into a written agreement with the owner whereby adjacent properties connecting to the sanitary sewer facilities installed by the owner, will be required to reimburse the owner, through the District, for a share of the cost for the sanitary sewer facility design and construction at a rate to be determined by the District.
- 2.** Administration of reimbursement funds will continue until all such prorated shares have been paid, but not longer than a period of 10 years after dedication of sanitary sewer facilities.
- 3.** Reimbursement agreements for all improvements valued over \$50,000 require Board approval. All other reimbursement agreements may be approved on the District's behalf by the General Manager or their designee."

Appendix A-7.7 Guarantee and Delivery of Title

a. General Guarantee

- 1.** The developer/owners shall supply the District with a guarantee for all materials and workmanship which is incorporated into the system for a time period that, at a minimum, extends from the date of acceptance of the facilities to the first day of October of the following year (see Section 2.01 Dedication of Sanitary Sewer Facilities, and Section 2.05, Extension of and/or Alterations to Sanitary Sewer Facilities). The time period for the guarantee may be extended by the General Manager on a case-by-case basis as needed. To assure the District this will be completed, the developer/owners shall supply this guarantee as requested by the

District in either of the following two forms. Failure to provide this maintenance agreement or maintenance bond will cause the District to withhold final approval.

- i. Maintenance Bond – The developer/owners shall supply a maintenance bond for the greater of \$5,000 or 10 percent of the contract amount for the sanitary sewer facilities as specified in the District Dedication Packet.
 - ii. Maintenance Agreement – The developer/owners shall supply a maintenance agreement, depositing the greater of \$5,000 or 10 percent of the contract amount for sewer facilities, in cash securities as specified in the District Dedication Packet.
2. If a period of 48 hours has elapsed after the developer/owner and/or the bonding company have received written notice by certified mail that a condition of failure exists and no correction has been made, the bonds will be called or the securities withdrawn, and the work will be performed by the District and charged against them.
 3. The developer shall be responsible for the full expense incidental to making good any and all of the above guarantees, the performance of which shall be binding upon the developer and his/her sureties.

b. Delivery of Title

1. Upon the completion and acceptance of the installations of the sewer facilities hereunder, the same shall be transferred to the District, without cost, and the owner shall provide and deliver to the District the following:
 - i. Duly executed warranty bill of sale transferring marketable title to the District of all such sewer works, installations and appurtenances, title thereto to be free and clear of all liens and encumbrances and;
 - ii. Duly executed easements wherein said facilities and installations are located in favor of the District; which said bill of sale and easement shall be in form acceptable to the District.

Section 3: This action is not subject to the requirements of the California Environmental Quality Act (“CEQA”). The approval of this Ordinance is not a “project” within the meaning of 14 CCR Section 15378 (“State CEQA Guidelines”) because it has no potential for resulting in direct or indirect physical changes in the environment. The approval of this Ordinance is exempt from CEQA review because it will not have a significant effect on the environment under Section 15061(b)(3) of the State CEQA Guidelines.

Section 4: If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, of the application thereof to any person or place, if for any reason held to be unconstitutional or invalid by the decision of a court of competent


jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or places.

Section 5: The Board President shall sign this Ordinance and the Board Clerk shall cause the same to be published in accordance with Health and Safety Code section 6490. This Ordinance shall become effective one week after publication.

THE FOREGOING ORDINANCE was introduced at a regular meeting of the Truckee Sanitary District Board of Directors on 20th day of March, 2025, by the following vote:


President Gilmore:	<input checked="" type="checkbox"/>
Vice President Hansford:	<input checked="" type="checkbox"/>
Director Salmon:	<input checked="" type="checkbox"/>
Director Smart:	<input checked="" type="checkbox"/>
Director Waters:	<input checked="" type="checkbox"/>

APPROVED:



Jerry Gilmore, Board President

ATTEST:



Annette Wolfe, Acting Board Clerk