

**Dry Creek Rancheria  
Band of Pomo Indians**

Environmental Code

(Recodified as previously adopted by the Tribe on 08/03/03)

**TITLE 4. SEWER SYSTEM ORDINANCE**

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**SECTION 1. Definitions**

Unless the context specifically indicates otherwise, the meaning of terms used in this chapter shall be as follows:

- (A) "Board" shall mean the Board of Directors of the Dry Creek Rancheria Band of Pomo Indians.
- (B) "Building" shall mean the extension from the building drain to the public sewer or other place of disposal, also called a house connection.
- (C) "Floatable oil" is oil, fat, or grease in a physical state such that it will separate by gravity from wastewater by treatment in an approved pretreatment facility. Wastewater shall be considered free of floatable fat if it is properly pretreated and the wastewater does not interfere with the collection system.
- (D) "Garbage" shall mean the animal and vegetable waste resulting from food handling, preparation, cooking, and serving of foods.
- (E) "May" is permissive.

(F) "Person" shall mean any individual natural person of either sex, firm, company, association, society, group, partnership or corporation, or group whether acting by themselves or through a servant, agent, or employee.

(G) "Plant Operations" shall mean the Plant Operations Division of the Department of Environmental Protection of the Dry Creek Rancheria Band of Pomo Indians.

(H) "Public sewer" shall mean a common sewer controlled by the Tribal Board, other governmental agency, or public utility.

(I) "Sanitary sewer" shall mean a sewer that carries liquid and water carried wastes from residences, commercial buildings, industrial plants, and institutions together with minor quantities of ground, storm, and surface waters that are not admitted intentionally.

(J) "Sewage" is the spent water of a community. The preferred term is wastewater.

(K) "Sewer" shall mean a pipe or conduit that carries wastewater or drainage water.

(L) "Shall" is mandatory.

(M) "Tribal sewer system" shall mean all sewer facilities, structures, processing equipment, pipelines, and appurtenances, vehicles, and material storage facilities owned and operated by the Tribe.

(N) "Wastewater facilities" shall mean the structures, equipment, and processes required to collect, carry away, and treat domestic and industrial wastes, and dispose of the effluent.

**SECTION 2. Permit Required for Working on Public Sewer**

No unauthorized person(s) shall uncover, make any connection with or opening into, use, alter, or disturb the Tribal sewer system or appurtenance thereof without first obtaining a written permit from the Plant Operations Division.

**SECTION 3. Cost of Sewer Connection**

All costs and expenses incidental to the installation and connection of the building sewer shall be born by the owner(s) customer. The owner(s) customer shall indemnify the Tribe from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer. The fee for a new service connection shall be \$500.00 determined by resolution of the Board.

**SECTION 4. Prohibited Discharges**

No person(s) shall discharge or cause to be discharged any of the following described waters or wastes into any public sanitary sewer:

- (A) Storm water, ground water, roof runoff, or subsurface drainage;
- (B) Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid or gas;
- (C) Any waste waters containing toxic or poisonous solids, liquids, or gas;
- (D) Solid or viscous substances in quantities or of such size, capable of causing obstruction to the flow in sewers, or other interference with the proper operation of wastewater facilities;
- (E) Wastewater from industrial plants, commercial establishments, or institutions containing floatable oils, fat, or grease; or
- (F) Any garbage from homes, hotels, restaurants, institutions, catering establishments, or similar places where garbage originates from the preparation of food in kitchens for the purpose of consumption on the premises or when served by caterers.

**SECTION 5. Solid or Insoluble Material Prohibited**

No person shall place or cause to be placed in the Tribal sanitary sewer system of the Board any solid object or material not soluble in water, excepting particulate matter suspended in water or other liquid and capable of passing through a one-inch square mesh.

**SECTION 6. Liability for Damage to Sewer System**

The owner or customer of each property a premises served by the Tribal sanitary sewer system shall be liable for damage caused to the Tribal sanitary sewer system, including its pumps, lift stations, and other appurtenances, by objects or materials which are placed in such system in violation of Section 5 provided, that such owner or occupant shall be exonerated from such liability upon proof by a preponderance of the evidence that such object or material was placed in such system by a person or persons not lawfully on such property. The burden of proving such fact shall be upon such owner or the customer.

**SECTION 7. Control of Prohibited Wastes**

If any waters or wastes are discharged or are proposed to be discharged into the Tribal sewer system, which waters contain the substances or possess the characteristics enumerated in Section 4 and which in the opinion of the Plant Operations may have a deleterious effect upon the wastewater facilities processes, equipment, or receiving waters, or which otherwise create a hazard to life or constitute a public nuisance, the Plant Operations may:

- (A) Reject the wastes;

(B) Require pretreatment to an acceptable condition for discharge into the public sewers;

(C) Require control over the quantities and rates of discharge; and/or

(D) Require payment to cover added costs of handling and treating the wastes.

**SECTION 8. Interceptors Required**

Grease, oil, and sand interceptors shall be provided on building sewers when, in the opinion of the Plant Operations Division, they are necessary for the proper handling of liquid waste containing floatable oil and/or grease, any flammable waste, garbage, sand, or other harmful ingredients, except that such interceptors shall not be required for residential dwelling units private living quarters. All such interceptors shall be of a type and capacity approved by Plant Operations the District and shall be located so as to be readily accessible for cleaning and inspection. Unless otherwise stipulated, maintenance and cleaning shall be the responsibility of the owner and the owner shall maintain records of cleaning dates and the method of waste disposal. Said records are subject to inspection by the Plant Operations Division.

**SECTION 9. Requirement to Provide Information**

The Board may require the user of sewer service to provide any information needed to determine compliance with this Ordinance.

**SECTION 10. Inspection-Right of Entry**

Duly authorized employees or representatives of the Board, bearing proper credentials and identification, shall be permitted to enter all properties for the purposes of inspection, observation, measurement, sampling, and testing pertinent to discharge into the sanitary sewer system in accordance with the provisions of this Ordinance.

**SECTION 11. Sewer Service Charge**

Each single-family residence, multi-family unit, and commercial unit shall be charged at a rate established by resolution of the Board.

**SECTION 12. Penalty for Violations**

Any person(s) found to be in violation of this Ordinance shall first be given written notice of the nature of the violation and thirty (30) days in which to affect a remedy or appear in front of the Board for an administrative hearing. If the Board determines after an administrative hearing that said person(s) violated this Ordinance, he/she shall have fifteen (15) days from the date of the hearing in which to remedy the violation. Any person who does not correct the violation within the thirty (30) day grace period, they shall be guilty and shall be fined in an amount not to exceed \$300.00 for each violation.

(A) Each day in which any such violation shall continue shall be deemed a separate violation.

(B) Any person(s) who is violating any of the provisions of this Ordinance chapter shall become liable to the Board for any expense, loss, or damage occasioned the Board by reason of such violation.