

CHAPTER 21.

SEWERS AND SEWAGE DISPOSAL.¹

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- § 21-13. Regulations governing rebates to developers for water and sanitary sewer improvements.

Sec. 21-1. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Apartment. A room, or suite of rooms, occupied by one family doing its cooking therein.

Automobile camp. Land or premises used for occupancy by campers traveling by automobile or otherwise, or for

1. For state law authorizing city to regulate construction, etc., of sewers, see Gov. C., § 38660. See also Gov. C., §§ 38900 and 39000 et seq. As to sewers generally, see H. & S.C., § 4600 et seq.
As to plumbing, see ch. 18 of this Code. As to sewage disposal in new subdivisions, see § 23-23.

occupancy by trailers, tents or movable or temporary dwellings, rooms or sleeping quarters of any kind.

Automobile court. A group of two or more detached or semidetached buildings, containing guest rooms or apartments with automobile storage space, serving such rooms or apartments provided in connection therewith, or without such automobile storage space, which group is used primarily for the accommodation of automobile travelers; including such groups designated as auto cabin, motor lodge, motel or by similar designations.

Club. An association primarily organized for some common, nonprofit purpose; including lodges and fraternal orders, but not including groups organized primarily to render a service which is customarily carried on as a business.

Domestic sewage. Waste containing human or animal excreta, other than industrial waste.

Dwelling group. A group or row of detached or semi-detached dwellings occupying a parcel of land in one ownership and having a yard or court in common, including bungalow courts, but not including automobile courts.

Industrial plant. A plant or works producing waste material, other than domestic sewage.

Industrial waste. Liquid or solids contained within a liquid, other than domestic sewage.

Multiple dwelling. A building occupied by three or more families, each living independently as a separate housekeeping unit, including apartment houses, apartment hotels and flats.

One-family dwelling. A detached building containing only one kitchen and occupied by one family exclusively.

Premises. A lot, parcel of land, building or establishment.

Sewage. A combination of liquid or water carried human waste conducted away from residences, business buildings and institutions, which is known as domestic sewage, together with the liquid or water carried waste resulting from a manufacturing process employed in industrial establishments, including the washing, cleaning or drain water from such process or establishment, which is known as industrial waste.

(v) All water main and service line construction (to and including the meter) and associated street repair shall be warranted for a period of one year after acceptance by the city and the property owner of the property being served shall be responsible for deficiencies identified during the one-year warranty period.

(w) A customer may request the installation of an irrigation service.

(x) All construction within city right-of-way or on city facilities shall be completed by a qualified California licensed contractor who carries a general policy of public liability insurance in the amount of one million dollars. The city of Alturas shall be named as coinsured, and any such policy shall contain a provision requiring the city to be notified in writing at least thirty days prior to expiration or termination of said policy. (Ord. No. 400, § 2; Ord. No. 429, § 1.)

Sec. 27-2. Payments for water; disposition of funds; accountability for funds.

All money due to the city for water furnished from the system of municipal waterworks shall be payable at the office of the city treasurer on the fifth day of the month next succeeding the month in which the water was furnished. It shall be the duty of the city treasurer to receive such money, place the same to the credit of the general fund of the city and issue official receipts for the same. The city treasurer shall render such account of the moneys thus received and shall make such report of the status of accounts of water consumers as the city council shall by resolution prescribe. (Ord. No. 108, § 3.)

Sec. 27-3. Repealed by Ordinance Number 400, § 1.

Article II. Cross-Connection Control Program.

Sec. 27-4. Cross-connection control program--Purpose.

The purpose of this article in conjunction with chapter 10, sections 1002 and 1003 of the Uniform Plumbing Code and in conjunction with title 17, sections 7583 through 7605 California Code of Regulations as they may be amended by the state of California from time to time is as follows:

(a) Protect the public water supply against actual or potential contamination through cross-connections by isolating sources of contamination that may occur within a

(l) (Repealed.)

(m) Any meter which indicates consumption without responsible customer, may be removed or shut off at the city's option.

(n) There will be no adjustment of a customer's bill unless the city is responsible for water loss on the customer's side of the meter.

(o) The minimum size of water main construction to be a part of the city's water distribution system shall be six inches in diameter or the size necessary to provide the flow required by the development as determined by the city, whichever is larger.

(p) The city may require water main oversizing. Water main material oversizing costs for oversizing water main pipe per the requirement of the city, shall be paid by the city.

(q) Fire hydrants shall be included as an integral part of a water main extension and the cost thereof shall be borne by the developer, unless otherwise determined by the city.

(r) Location of the required fire hydrants shall be determined by the city engineer after consultation with the city fire department, unless otherwise determined by the city council.

(s) Water service will be provided to and including the meter, upon the customer making application and depositing with the city the applicable fee pursuant to the fee schedule approved by resolution of the city council.

(t) Only the city may make connections to a city water main unless otherwise authorized. The applicant/developer shall expose the water main, install the service line and meter, and repair the trench and surface improvements to city specifications. The city will furnish all pipe, fittings, meter, and meter box for the service line construction from the main to and through the meter box.

(u) A completed connection application and connection fee shall be submitted a minimum of forty-eight hours prior to commencing any excavation and the city shall be notified a minimum of forty-eight hours prior to commencing any excavation.

Two-family dwelling. A building occupied by two families exclusively, living independently of each other. (Ord. No. 235, § 1.)

Sec. 21-2. House lateral to be constructed within thirty days of city council's order.

Every person owning, controlling or occupying land on which is constructed any structure occupied by people as a dwelling, or in which sewerage facilities are required, shall construct a house lateral connecting such structure with the public sewers within thirty days after having been notified to do so by the city council; provided, that such structure shall be located on land abutting any public street, alley or sewer right-of-way in which there is a public sewer which shall be within five hundred feet thereof as measured along any street, alley or sewer right-of-way. (Ord. No. 163, § 1.)

Sec. 21-2.1. Repealed by Ordinance No. 400, § 3.

Sec. 21-3. Maintenance of septic tank, privy, etc., thirty days after order to connect to public sewer prohibited.

No person shall maintain any septic tank, cesspool or privy vault on any land owned, controlled or occupied by him abutting on any public street, alley or sewer right-of-way in which there is a public sewer or which is within five hundred feet, measured along such public street, alley or sewer right-of-way, of a public sewer for more than thirty days after having been ordered to connect to the public sewer by the city council. (Ord. No. 163, § 2.)

Sec. 21-4. Permit to discharge sewage or industrial waste into city sewers required; application for permit; issuance of permit.

(a) Each person having, or who in the future shall have, a one-family dwelling with a sewer connection connecting with the sewer system of the city is hereby granted a permit to discharge domestic sewage from such one-family dwelling. All other persons owning or occupying any other premises in the city which is now served, or which in the future shall require service, by a connection with the city sewer system, whereby domestic sewage or industrial wastes, or both, are disposed of by the city, shall obtain from the director of public works or his authorized representative, a permit to discharge such sewage or industrial waste.

(b) Application for a permit to discharge domestic sewage or industrial waste shall be in writing and shall contain, among other things, the following information:

- (1) The name and address of the applicant.
- (2) The proposed location of connection.
- (3) The character of waste or sewage proposed to be discharged.
- (4) Other information that may be deemed to be necessary by the director of public works.

Sec. 21-11. Appeals.

Any person who shall be dissatisfied with the action of the director of public works in denying a permit or granting a permit wherein conditions are imposed or in modifying or revoking a permit, or with any other order of the director of public works in which such person may be affected, may, within thirty days from the date of such action on the part of the director of public works, appeal to the city council by giving notice thereof to the director of public works and to the city clerk. In event of such appeal, the director of public works shall transfer to the city council a report setting forth the reason for denying the permit, requiring a change therein, imposing conditions prior to granting the same, modifying or revoking the permit, or the reason for any other order made by the director of public works affecting the person appealing.

The city council shall have full power to review any action on the part of the director of public works, or any order made by him, and the determination of the city council shall be final. (Ord. No. 235, § 8.)

Sec. 21-12. Regulations governing the operation, maintenance, and expansion of the city's sanitary sewer system.

The following regulations shall govern the operation, maintenance, and expansion of the city's sanitary sewer system.

(a) All maintenance of sewer main lines shall be the responsibility of the city. Service lines shall be maintained by the customer.

(b) Sewer main extension costs shall be the responsibility of the party requesting the service.

(c) All sewer main extensions shall be designed by a California registered engineer in accordance with city standards and requirements, and shall be approved by the city engineer and the state of California.

(d) All construction of sewer mains and services to the right-of-way line shall be in accordance with the approved design drawings and specifications, and shall be inspected and approved by the city engineer or his designated representative.

(e) All sewer mains shall be situated within a right-of-way or easement acceptable to the city. Any approval granted may be conditioned on the developer providing acceptable right-of-way to the city.

(f) Upon completion of construction and approval by the city, all sewer main extensions shall become the property of the city.

(g) Any rebates to the party who extends sewer mains shall be governed by the city's rebate policy.

(h) Sewer mains shall be extended across the total street frontage of the property being developed unless otherwise determined by the city.

(i) An inspection fee of two percent of the construction cost or one hundred dollars, whichever is more, as estimated by the city engineer or his representative, shall be paid by the developer to the city prior to commencing construction.

(j) Sewer service when capacity is limited and permits are pending, shall be provided to customers in accordance with the following priority, with the first listed having most priority and last listed having least priority:

- (1) Existing uses within the city limits;
- (2) Existing uses outside the city limits;
- (3) Existing property with service lines inside the city limits;
- (4) Existing property with service lines outside the city limits;
- (5) Future development within the city limits;
- (6) Future development outside the city limits.

(k) All sanitary sewer service lines to be abandoned shall be plugged at the right-of-way line with

non-shrinking grout by the property owner and inspected by the city prior to covering. Costs for plugging the service line shall be borne by the property owner.

(l) The minimum size of sewer main constructed to be a part of the city's sanitary sewer system shall be eight inches in diameter or the size necessary to provide the flow required by the development, whichever is larger, unless otherwise approved by the city engineer.

(m) The city may require sewer main oversizing. Sewer main pipe material oversizing costs for oversizing sewer mains per the requirement of the city shall be paid by the city.

(n) The property owner requesting sanitary sewer service is responsible to furnish all material and hire a city-approved contractor to construct the necessary sewer line within the city's right-of-way and pay all costs for construction to city specifications. No construction shall commence until the property owner files with the city a completed application and deposits with the city a non-refundable connection fee in accordance with fee schedule adopted by resolution of the city council.

(o) All construction within city right-of-way or on city facilities shall be completed by a qualified California licensed contractor who carries a general policy of public liability insurance in the amount of one million dollars. The city of Alturas shall be named as co-insured, and any such policy shall contain a provision requiring the city to be notified in writing at least thirty days prior to expiration or termination of said policy.

(p) All construction within the city's right-of-way shall be warranted for a period of one year following final acceptance by the city and the property owner of the property being served shall be responsible for deficiencies identified during the one-year warranty period.

(q) A completed connection application and connection fee shall be submitted, and a permit issued a minimum of forty-eight hours prior to commencing any excavation, and the city shall be notified a minimum of forty-eight hours prior to commencing any excavation. (Ord. No. 400, § 4.)

Sec. 21-13. Regulations governing rebates to developers
for water and sanitary sewer improvements.

The following regulations shall govern rebates to developers for water and sanitary sewer improvements:

- (a) Rebates shall be based on a frontage foot basis.
- (b) Cost of improvement shall be divided by the length to determine a per-foot cost.
- (c) The per-foot cost shall be shared equally by the properties on opposite sides of the improvement.
- (d) Special construction required to serve the development (i.e. highway borings, canal crossings, etc.) which occurs beyond a property shall not be included in that property's assessment. A property shall only be assessed for those costs of the facility that serves the property.
- (e) Per-foot costs shall be determined by the city engineer, based on the documented costs of the developer and reasonable costs for similar projects in the area.
- (f) The developer shall submit to the city all cost records and a request to receive rebates within sixty calendar days of the city accepting the newly constructed facility. The developer shall, within said period, record an appropriate notice, on a form to be furnished by the city, containing a legal description of the property potentially liable to pay a rebate, and shall further send a copy of said notice to the owners of record of said properties as they appear on the latest equalized assessment roll. Proof of recordation and service shall be furnished to the city clerk no later than ten days after expiration of the sixty-day period.
- (g) Rebates shall only be paid to the developer by users who get service directly from the facility.
- (h) Extension, longitudinally and laterally, of a facility shall not required the payment of a rebate.
- (i) Corner properties shall pay a rebate based on the longest side of the property adjoining the facility.
- (j) The city shall establish a record-keeping procedure to monitor and collect rebate charges from users.
- (k) All rebates shall be paid in full to the city prior to service being provided to the one owing the rebate.
- (l) All costs for administering rebates shall be paid from the rebates prior to disbursement to the developer.

(m) Rebates less expenses shall be paid to the developer of a facility for a period of five years after the city's acceptance of the improvements. After said five year period, all rebate requirements of a facility shall be null and void.

(n) Collected rebate funds unclaimed within sixty calendar days shall be placed in an interest-bearing account.

(o) Transfer or assignment of the right to a rebate shall be by letter, signed by the developer and notarized, and filed with the city.

(p) It shall be the rebate recipient's responsibility to maintain his/her current address on file with the city.

(q) If the rebate is not claimed within six months after the end of the five-year rebate period, all remaining funds shall be placed in the appropriate facility expansion fund. (Ord. No. 400, § 5.)

Streets and Sidewalks

CHAPTER 22.

STREETS AND SIDEWALKS.¹

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Article II. Construction of Concrete Curbs, Gutters, Driveways and Sidewalks in General.

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- § 22-9.1. Persons not to make improvements of property without installing curbs and gutters.
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Article III. Construction of Sidewalks.

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Article IV. Grades and Curb Lines.

- § 22-16. Official Drainage Map adopted.
- § 22-17. Official grade established--Streets and highways.
- § 22-18. Same--Gutters.
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- § 22-20. Same--Sidewalks--Generally.
- § 22-21. Same--Same--Specific streets.
- § 22-22. Same--Crosswalks.
- § 22-23. Curb lines established.
- §§ 22-24 through 22-29. (Reserved)

Article V. Construction of Public Works Generally.

- § 22-30. Standard specifications.
- § 22-31. Standard plans.

- 1 For state law as to authority of city relative to streets and sidewalks generally, see Gov. C., § 40401. As to city streets generally, see Sts. & H. C., § 1800 et seq.
- As to numbering of buildings, see §§ 5-3 to 5-6 of this Code. As to special gas tax street improvement fund, see §§ 9-1 to 9-3. As to obstructing of streets, sidewalks, etc., as nuisances, see § 15-3. As to use of streets by peddlers, see § 17-11. As to design standards for streets and highways in subdivisions, see § 23-11. As to required streets in new subdivisions, see § 23-22.

Article I. In General.

Sec. 22-1. Riding bicycles on sidewalk prohibited.

No person shall ride, drive or run any bicycle of any kind upon or over any sidewalk or part thereof that borders any public street of the city. (Ord. No. 98, § 1.)

Sec. 22-1.5. Skateboards and rollerskates on Main Street.

No person shall ride, drive or run any skateboard or rollerskates of any kind upon or over any sidewalk or part thereof which is parallel to and adjacent to Main Street, State Highway 395, in the city. (Ord. No. 395, § 1.)

Sec. 22-1.6. Electrical personal assistive mobility devices.

(a) It shall be unlawful to operate an "electrical personal assistive mobility device," as defined in section 313 of the Vehicle Code, on any sidewalk, walkway, pathway, trail, multi-purpose shoulder lane, in or about a mall, parking lot, multistoried parking structure, an airport or other pedestrian/transportation facility which is under the jurisdiction of the city of Alturas.

(b) The term "pedestrian" shall not, for any purposes, be deemed to include an "electric personal assistive mobility device," as defined in section 313 of the Vehicle Code.

(c) Any person who violates this section shall be guilty of an infraction and, upon the conviction thereof, shall be punished for the first offense by a warning or a fine of not less than fifty dollars nor more than one hundred dollars; and for a second offense and each additional offense by a fine of not less than one hundred dollars nor more than five hundred dollars. (Ord. No. 455.)

Sec. 22-2. Permit for movement of object that might injure street--Required.

It shall be unlawful for any person, as owner, agent, employee or otherwise, to drive, propel, drag, tow or otherwise move any tractor, vehicle, machine or other object

or thing, upon, over or across any paved, oiled or otherwise hard-surfaced portion of any public street or place within the city in such a manner as might break, indent, scar or otherwise injure or damage the surface of such paved, oiled or otherwise hard-surfaced portion of such public street or place, without first obtaining a written permit therefor from the director of public works. (Ord. No. 196, § 1.)

Sec. 22-3. Same--Conditions; deposit against anticipated damage.

Before issuing any permit required by section 22-2, the director of public works shall be fully advised as to the nature of the tractor, vehicle, machine or other object or thing to be moved, and the proposed manner of moving the same, and he shall prescribe in such permit such precautionary measures as appear necessary to avoid so far as possible any injury or damage to the surface of the public street or place, and when injury or damage appears unavoidable, he shall also require a deposit of money with the city clerk sufficient in amount to cover his estimate of the cost of repair of any such injury or damage, the surplus of such deposit over and above the cost of such repairs, after the same are made, to be refunded to the depositor. (Ord. No. 196, § 2.)

Sec. 22-4. Same--Cost of repair when movement made without permit.

The cost of repair of any public street or place injured or damaged in violation of the provisions of section 22-2 shall be deemed a debt owing to the city, by the person causing such injury and damage, and in case of the non-payment thereof, suit shall be brought by the city attorney in the name of the city, when so ordered by the city council, against the person liable therefor, for the collection of such debt, and in event of recovery of judgment against such person, there shall be included as an item of cost the sum of twenty-five dollars as a penalty for nonpayment, which sum, when collected, shall be paid to the city attorney and retained by him for extra services in the suit, in addition to his salary as provided by law. (Ord. No. 196, § 3.)

Article II. Construction of Concrete Curbs, Gutters, Driveways and Sidewalks in General.

Sec. 22-4.1. Certificates of completion.

Any applicant for a building permit or encroachment permit shall, prior to receiving such permit, apply to the

city clerk, city hall, for a certificate of completion by depositing with the city treasurer a sum equal to one hundred ten percent of the director of public works' estimate of the cost of curb and gutter construction, and the additional sum of ten dollars per lineal foot for engineering services; provided however, that the deposit is subject to total or partial refund based on actual construction and engineering costs and further provided the city council reserves the right to waive all or any portion of the above deposits by a resolution of the city council. If the actual cost of construction exceeds the amount of the deposit the applicant shall pay any difference before issuance of the certificate of completion. Further the city council may from time to time amend the deposit amounts by resolution of the city council. (Res. No. 78-23, § 1; Ord. No. 431, §§ 1, 2; Ord. No. 436, § 1.)

Sec. 22-4.2. Approval by director of public works.

All curb and gutter, sidewalk and driveway work shall be subject to final approval of the director of public works. (Ord. No. 436, § 1.)

Sec. 22-5. Specifications and plans--Application.

The following specifications and the plans hereto attached are adopted as the official specifications and plans for all concrete work upon public works within the city and for all concrete curbs, gutters, driveways and sidewalks constructed within the city and all public concrete works within the city and all concrete curbs, gutters, driveways and sidewalks within the city shall conform strictly thereto. (Ord. No. 328, § 1.)

Sec. 22-6. Same--Type of concrete, subgrades, etc.

The specifications mentioned in the next preceding section are as follows: All concrete used in concrete curbs, gutters, driveways and sidewalks in the city shall conform with provisions of section 22-30, hereinafter referred to as "greenbook."

(a) General. All curbs, gutters, sidewalks, driveway approaches and driveways, or portions thereof, installed in the public right-of-way, shall be constructed of portland cement concrete meeting the requirements of the plans and specifications of sections 22-30 and 22-31. Concrete curbs, gutters, driveways and sidewalks shall be constructed of the size, form, and dimensions, and at places designated on the plans attached to the ordinance codified in this chapter. No person, firm or corporation shall com-

mence construction of a sidewalk, curb and gutter or driveway approach without first receiving a permit therefor from the public works department after the public works department has approved the grade and line for the curb and gutter proposed.

(b) Concrete.

(1) All concrete shall be Class 520-C-2500, containing five hundred twenty pounds of cement per cubic yard and meeting all requirements of section 201 of the greenbook. The combined aggregate size used in the work shall meet the grading limits for Class C or D as defined in paragraph 201-1.3.2 of the greenbook, and shall pass the freezing and thawing test California Test 528.

(2) Sand shall meet the requirements of section 200-1.5.3 of the greenbook.

(3) An air-entraining admixture meeting the requirements of section 201-1.2.4 of the greenbook shall be added to the concrete at the rate required to result in an air content of six percent plus or minus 1.5 percent in the freshly mixed concrete.

(4) The mere fact that aggregates used in concrete have passed Test Method No. California 528, "Test for Freeze - That Resistance of Aggregates in Air-entrained Concrete", shall not excuse the compliance of aggregates with the other requirements of sections 22-5 through 22-9 or sections 22-30 and 22-31.

(c) Construction. Construction of all sidewalks, curbs, gutters, driveway approaches and driveways shall conform to the specifications and plans referenced in section 22-30 and section 22-31. Copies of the pertinent sections will be included with the encroachment permit.

(d) Subgrade Preparation.

(1) The subgrade shall be constructed true to grade and cross section and shall meet the requirements of section 301 of the greenbook. All soft or spongy material shall be removed to a depth of not less than one-half foot below subgrade elevation for curbs, gutters and driveways and not less than one-fourth foot below for sidewalks and the resulting space filled with sand or class II base.

(2) The complete subgrade shall be tested for grade and cross section by means of a template extending the full depth of the section and supported between the

side forms. The subgrade shall be thoroughly watered, but not excessively, before placing concrete as per section 303-1.2 of the greenbook.

(e) Forms. Forms shall meet the requirements of section 303-1.3 of the greenbook and shall be inspected and approved by the director of public works before concrete is placed. If, during the process of tamping and finishing, any yielding takes place in the forms, immediate steps shall be taken to realign the concrete to the correct line and grade.

(f) Finishings. Finishings shall be done by shaping and smoothing with a longitudinal float, with its length parallel to the centerline of the street, with a longitudinal and transverse motion, planing off the high places and filling in depressions. The float shall be sixteen to eighteen feet long. Final finishing shall be made with a small steel trowel, and the finished surface shall be broomed lightly before edging. Brooms shall be kept clean and shall be only used to lightly remove the polish. The finished surface shall not vary more than one-eighth inch from a straight edge ten feet long laid parallel to the curb. Contractor shall provide the straight edge.

(g) Expansion Joints. Transverse expansion joints one-quarter inch thick shall be installed at intervals of twenty feet in all curbs and gutters and the same joints shall be installed at intervals of no more than ten feet in all sidewalks. Where curbs already exist, expansion joints shall be placed in sidewalks opposite the expansion joints in the adjacent curb, but not to exceed ten feet apart. The maximum area without transverse expansion joints is one hundred square feet.

(h) Curbs and Gutters. The area between the curb and the property line shall be backfilled and/or excavated to the proposed side subgrade upon completion of construction of the curb and gutter and prior to finishing the placement of the aggregate base material on the street. If no sidewalks are to be installed the area must be graded to the level of the curb.

(i) Sidewalks. All curbs and gutters shall be constructed prior to the construction of sidewalks to insure a proper grade of one-quarter inch per foot from back of sidewalk to top of curb. No paving of the street area shall be undertaken until a minimum of two feet of backfill behind the curb is rolled or compacted in place to grade. Sidewalks shall be constructed to the requirements of the

greenbook, section 303-5, except the minimum thickness shall be 3.5 inches except for driveway or alley entrances.

(j) Driveways and Alley Entrances. Driveways and alley entrances shall be constructed to the lines and grades and of the sizes and shape as shown on Standard Plan 110-0 for driveways or Standard Plan 130-0 for alley entrances. All driveways in residential areas shall be a minimum of six inches thick, commercial driveways and alley entrances shall be a minimum of eight inches thick and shall be reinforced with six by six wire.

(k) Plans and Specifications. Standard Plan 120-0, Type A2-6 for a typical curb and gutter, Standard Plan 150-0 for a typical curb drain, Standard Plan 110-0 for typical driveway sections and Standard Specification 303-5 Concrete Curbs, walks, gutters, cross gutters, alley intersections, access ramps and driveways, the 1994 edition of the "Standard Specifications for Public Works Construction," the 1994 edition of the "Standard Plans for Public Works Construction," are made by reference a portion of this article. (Ord. No. 328, § 2; Ord. No. 436, § 2.)

Sec. 22-7. Same--Standard specification and roll curbs.

(a) Standard specification curbs shall be required in all residential areas; provided that roll curbs may be allowed where, after written application to the director of public works, the director, in his sole discretion, allows construction of roll curbs, where circumstances, in his sole discretion, permit such construction of roll curbs. (Ord. No. 328, § 3; Ord. No. 436, § 3.)

Sec. 22-8. Same--Plans and specifications.

Copies of the 1994 edition of the "Standard Specifications for Public Works Construction," and subsequent editions as it may be revised from time to time, and the 1994 edition of the "Standard Plans for Public Works Construction," and subsequent editions as it may be revised from time to time shall be available in the office of director of public works for public inspection during regular business hours. (Ord. No. 436, § 4.)

Sec. 22-8.1. Same--Effective date.²

Sections 22-5 through 22-9 are urgency measures necessary for the immediate preservation of the public peace, health and safety within the meaning of section 25123 of the Government Code of the state, and shall take effect immediately. The facts constituting such necessity are: Additional construction standards for uniform plans and specifications of curbs, gutters, driveways and sidewalks have been generally adopted throughout the state pursuant to standard plans and specifications of the department of public works of the state; and additionally, uniform standard specifications for the specific quality of concrete to be used in curbs, gutters, sidewalks and driveways have been improved, are necessary for good proper and workmanlike construction and in the best interest, there having been inadequate and insufficient standards as to quality of content of concrete heretofore in the city, and because of the large number of construction in progress and proposed, the immediate adoption of said ordinance is in the best public interest. Accordingly, such sections must take effect immediately upon their adoption. (Ord. No. 328, § 5.)

2. Editor's note.--The adoption date of sections 22-5 through 22-9 is August 13, 1973.

Sec. 22-9. Same--Violations.

A wilful violation of the terms and provisions of sections 22-5 through 22-9 or of the plans and specifications hereby adopted shall be a misdemeanor punishable as provided in the Code of the city adopted in 1968. (Ord. No. 328, § 4.)

Sec. 22-9.1. Persons not to make improvements of property without installing curbs and gutters.

(a) It shall be unlawful for any person having charge or control of any lot or premises, either as owner, agent, lessee, tenant or otherwise, to make improvements valued cumulatively at fifteen thousand dollars or more over any consecutive five-year period to any existing

structure without simultaneously constructing and installing curbs and gutters upon that portion of the premises abutting upon any public way.

(b) No building permit shall be issued for any improvements meeting the conditions of subsection (a) of this section without first posting a bond with the city in the amount of the cost of the construction of the curb and gutter. Said cost to be determined by the director of public works. Failure to post said bond will be grounds for not issuing the building permit. (Ord. No. 320; Res. No. 80-54; Ord. No. 431, §§ 3, 4; Ord. No. 462, §§ 1, 2.)

Sec. 22-9.2. Person who makes improvements will install curb and gutters.

Any person having charge or control of any unimproved lot or premises either as owner, agent, lessee, tenant or otherwise, who places any improvements which exceed at fifteen thousand dollars in value upon subject premises, shall simultaneously install and construct curbs and gutters upon that portion of the premises abutting upon any public way. (Ord. No. 320; Res. No. 80-54; Ord. No. 456, §§ 1, 2; Ord. No. 462, §§ 3, 4.)

Sec. 22-9.3. Variance permit.

(a) Where practical difficulties, unnecessary hardships or results inconsistent with the general purpose of this article may result from the strict application of certain provisions hereof, variances may be granted as provided by this section.

(b) The procedure shall be the same as that for a variance to the city zoning ordinance.

(c) The replacement or repair of a structure destroyed or severely damaged by a natural disaster or an unintentional catastrophic event shall not constitute an "improvement" as such term is used in this chapter, shall be exempt from the mandatory curb and gutter provisions of sections 22-9.1 and 22-9.2, and shall not require a variance permit as would otherwise be required pursuant to

subsections (a) and (b) of this section. (Ord. No. 320; Ord. No. 465, § 1.)

Sec. 22-9.4. Construction of curb and gutters to conform with standards.

The construction of any curbs and gutters as required by this article shall be done in conformance with standards and specifications on file in the office of the director of the department of public works. (Ord. No. 320.)

Sec. 22-9.5. Issuance of building permit conditional upon agreement to build curb and gutters.

The issuance of any building permit by the building official of the city shall be conditional upon the agreement in writing of the person falling within this article to construct curbs and gutters as required in this article and posting a bond for the full amount of the cost of constructing the curb and gutters. The cost is to be determined by the director of public works. (Ord. No. 320; Ord. No. 436, §§ 5, 6.)

Sec. 22-9.6. Final approval and acceptance denied building unless curb and gutters are constructed.

The building official shall deny final approval and acceptance and shall refuse to allow final public utility connections to any such building or dwelling unless curbs and gutters, where required by this article exist, are constructed, or unless money or a bond to guarantee their construction is deposited with the city in a sum equal to the estimated cost of the construction of such improvements as determined by the building official of the city and providing for such construction within ninety days. (Ord. No. 320.)

Sec. 22-9.7. Notice to owner, agent, etc.

Whenever any person having charge or control of any lot or premises, either as owner, agent, lessee, tenant or otherwise, fails to do any of the things provided in this article, it shall be the duty of the building inspector of

the city to give written notice of such failure to comply with this article by posting a notice of such failure to comply with this article on the lot and also by leaving a notice with any occupant of the lot. Written notice shall also be given to the owner of the lot by depositing the notice in the post office with the postage fully prepaid at Alturas, California, and addressed to the last known address of the owner. If the owner is a nonresident, and his address is not known, the notice shall be addressed to him at Alturas, California. The notice shall briefly describe the work to be done and shall refer to this article. The notice shall contain a notification that unless the work is done within thirty days from the date of the posting of the notice on the lot, the building official shall notify the superintendent of streets to do or cause to have done the work, and the costs and expenses will be charged up and made a lien against the property. (Ord. No. 320.)

Sec. 22-9.8. Violations.

A wilful violation of this article shall be a misdemeanor. Any wilful or intentional misrepresentation of any fact made for the purpose of influencing the action of any officer or public body therein named pursuant hereto shall be a violation of this article. Whenever any permit has been issued thereunder, and the planning commission shall find and determine that there has been a wilful violation of this article in connection with the subject matter of such permit, the planning commission may revoke such permit. (Ord. No. 320.)

Article III. Construction of Sidewalks.

Sec. 22-10. Grade.

All cement or concrete sidewalks constructed in the city shall be built to and in accordance with the established grade therefor. (Ord. No. 105, § 1.)

Sec. 22-11. Required fall.

All cement or concrete sidewalks constructed in the city shall have a fall to the foot of the curb line of one-quarter inch in one foot. (Ord. No. 105, § 1.)

Sec. 22-12. Base.

The base or foundation of cement or concrete sidewalks shall be eight inches below the completed surface. Four inches of sand or gravel shall be placed upon the base, and shall be tamped until solid. (Ord. No. 105, § 2.)

Sec. 22-13. Minimum thickness.

Concrete used in sidewalks shall be four inches thick, except at driveways. (Ord. No. 105, § 2.)

Sec. 22-14. Driveways.

Concrete used in driveways shall be five inches thick. Driveways shall run to the gutter line. Driveways shall be grooved with grooves not more than six inches apart. (Ord. No. 105, § 2.)

Sec. 22-15. Repealed by Ordinance No. 238, § 5.Article IV. Grades and Curb Lines.Sec. 22-16. Official Drainage Map adopted.

That certain map, filed and of record in the office of the city clerk, designated and marked "DRAINAGE MAP OF ALTURAS, - FILED JUNE 13, 1927", is adopted as an official map of the city for the purposes of this article, and shall be known as the Official Drainage Map. (Ord. No. 137, § 1.)

Sec. 22-17. Official grade established--Streets and highways.

An official grade is hereby established for streets and highways in the city, which official grade shall, at the various locations in the city, equal in height and conform to the elevations marked and indicated upon the Official Drainage Map at such locations, the particular points at which such elevations shall apply being at the center line of the street or highway, or intersection of center lines or streets or highways at such locations and the grade from point to point where such elevations are marked and indicated to be a regular slope, and from center line to bottom of gutter to be a regular curve. (Ord. No. 137, § 2.)

Sec. 22-18. Same--Gutters.

An official grade is hereby established for all gutters along public streets and highways in the city, which gutter grade at the various locations in the city shall be eight inches below the grade established by section 22-17 as the official grade of streets and highways at such locations; provided, that where the grade for gutters is otherwise specified on the Official Drainage Map, the gutter grade at such locations shall be and is hereby established at the eleva-

tion indicated upon the map, the grade of gutters between established points to be a regular slope. (Ord. No. 137, § 3.)

Sec. 22-19. Same--Curbs.

An official grade is hereby established for all curbing along public streets and highways in the city, which curb grade, at all points along the streets and highways shall be of the same elevation as the grade established by section 22-17 as the official grade of such streets and highways at such points. (Ord. No. 137, § 4.)

Sec. 22-20. Same--Sidewalks--Generally.

An official grade is hereby established for all sidewalks along public streets and highways in the city, except along the portion of Main Street between the center line of 2nd Street and the north bank of the Pit River, which sidewalk grade, at all points along the streets and highways, shall be of the same elevation at the curb line as that established by section 22-19 as the official grade for curbing at such points, and shall slope regularly upward at the rate of one-fourth inch per foot from the curb line to the property line. (Ord. No. 137, § 5.)

Sec. 22-21. Same--Same--Specific streets.

An official grade is hereby established for that portion of all sidewalks in the city, which lie within the intersections of Main and Carlos, Main and Modoc, Main and North, Main and 1st Streets and within the south half of the intersection of Main and 2nd Streets, which official grade shall be the same at the curb line as that established by section 22-17, as the official grade of the streets at such locations, and shall slope upward from the curb line to the property line at the rate of one-fourth inch per foot; provided, that where concrete sidewalks have heretofore been built and now exist within the intersections at an elevation of more than six inches above official grade as herein established, the official grade of sidewalks at such locations within the intersections is established at six inches above that hereinabove set out; and provided further, that between the center line of 2nd Street and the north bank of the Pit River, where concrete sidewalks have heretofore been built and now exist at an elevation of more than six inches above the official street grade as established by section 22-17, the surface elevation of such sidewalks for a distance of at least ten feet from the intersections shall be regularly sloped downward to an elevation of six inches above official street grade at the curb line and sloping from there upward at the rate of one-fourth inch per foot to the property line. (Ord. No. 137, § 7.)

Sec. 22-22. Same--Crosswalks.

An official grade is hereby established for all crosswalks crossing public streets and highways in the city, which crosswalk grade shall be of the same

elevation as that established by section 22-17 as the official grade of streets and highways at the point of crossing. (Ord. No. 137, § 6.)

Sec. 22-23. Curb lines established.

The curb elevation and horizontal lines along public streets and highways in the city, and along which the outer edge of all curbing hereafter built or placed, shall be established and marked upon the ground under the direction of the public works department, and which curb lines shall be as nearly straight as practicable throughout the length of the respective streets, and shall be located as follows: on Main Street, at a distance of ten feet, as nearly as practicable, from the property line; on all streets having a width of sixty feet or more, which includes the city's right-of-way, at a distance of eight feet, as nearly as practicable, from the property line, except the 400 block of East D Street which shall have, on the west side of the right-of-way, a distance of sixteen feet from the property line for the southern two hundred feet, more or less, and then taper back to eight feet in the northern one hundred feet, more or less; and to conform the setback to street width on respective streets of less than sixty feet, which includes the city's right-of-way, consideration of traffic lanes and uniformity throughout the street, as near as practicable; and that on all setbacks on streets less than sixty feet, which includes the city's right-of-way, shall be approved by the public works department of the city. (Ord. No. 137, § 8; Res. No. 81-23; Ord. No. 422, § 1; Ord. No. 431, §§ 7, 8; Ord. No. 436, § 5.)

Secs. 22-24 through 22-29. (Reserved)

Article V. Construction of Public Works Generally.

Sec. 22-30. Standard specifications.

Except as may otherwise be provided herein, the provisions of the 1994 edition of the "Standard Specifications for Public Works Construction", and subsequent editions as it may be revised from time to time, prepared and promulgated by the Southern California Chapter of the American Public Works Association and the Southern California Districts of the Associated General Contractors of California, are adopted and applicable to all public works construction undertaken after the effective date of the ordinance codified in this article. This shall be referred to as the "greenbook". (Ord. No. 436, § 6.)

Sec. 22-31. Standard plans.

Except as may otherwise be provided herein, the provisions of the 1994 edition of the "Standard Plans for Public Works Construction", and subsequent editions as it may be revised from time to time, prepared and promulgated by the Southern California Chapter of the American Public Works Association and the Southern California Districts of the Associated General Contractors of California, are adopted and applicable to all public works construction undertaken after the effective date of the ordinance codified in this article. This shall be referred to as the "standard plans". (Ord. No. 436, § 6.)

CHAPTER 27.

WATER.

Article I. City Water Distribution System.

- § 27-1. Regulations governing the operation, maintenance, and expansion of the city's water distribution system.
- § 27-2. Payments for water; disposition of funds; accountability for funds.
- § 27-3. Repealed.

Article II. Cross-Connection Control Program.

- § 27-4. Cross-connection control program--Purpose.
- § 27-5. Adoption authority.
- § 27-6. Cross-connections--Unlawful when.
- § 27-7. Definitions.
- § 27-8. Cross-connection protection requirements.
- § 27-9. Backflow prevention assemblies.
- § 27-10. Administrative procedures.
- § 27-11. Water service termination.
- § 27-12. Requirements for the certification as a backflow prevention device tester.
- § 27-13. Additional requirements for the drilling of water wells.

Article I. City Water Distribution System.Sec. 27-1. Regulations governing the operation, maintenance, and expansion of the city's water distribution system.

The following regulations shall govern the operation, maintenance, and expansion of the city's water distribution system.

(a) All maintenance of water mains and service lines (from the main to and including the water meter) shall be the responsibility of the city. Service lines beyond the meter shall be maintained by the customer.

(b) Water main extension costs shall be the responsibility of the party requesting the service.

(c) All water main extensions shall be designed by a California-registered engineer in accordance with city standards and requirements, and shall be approved by the city engineer and the state of California.

(d) All construction of water mains and services, to and including the meter, shall be in accordance with the approved design drawings and specifications, and shall be inspected by the city engineer or his designated representative.

(e) All water mains and service lines, to and including the meter, shall be situated within a right-of-way or easement acceptable to the city. Any approval granted may be conditioned on the developer providing acceptable right-of-way to the city.

(f) Following completion of construction and approval by the city, all water main extensions and service lines, to and including the meter, shall become the property of the city.

(g) Any rebates to the party who extends water mains shall be governed by the city's rebate policy.

(h) Water mains shall be extended across the total street frontage of the property being developed unless otherwise determined by the city.

(i) An inspection fee of two percent of the construction cost or one hundred dollars, whichever is more, as estimated by the city engineer or his representative, shall be paid by the developer to the city prior to commencing construction.

(j) Water service shall be provided to customers in accordance with the following priority, with the first listed having the most priority and last listed having least priority:

- (1) Existing uses within the city limits;
- (2) Existing uses outside the city limits;
- (3) Existing property with service lines inside the city limits;
- (4) Existing property with service lines outside the city limits;
- (5) Future development within the city limits;
- (6) Future development outside the city limits.

(k) Domestic consumption shall have priority over irrigation and commercial uses, and commercial use shall have priority over irrigation.

water user's premises because of some undiscovered or unauthorized cross-connection on the premises;

(b) Eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption;

(c) To eliminate cross-connections between drinking water systems and sources of contamination;

(d) Prevent the making of cross-connections in the future. (Ord. No. 429, § 4.)

Sec. 27-5. Adoption authority.

The regulations of this article are adopted pursuant to the State of California Administrative Code, Title 17 - Public Health entitled "Regulations Relating to Cross-Connection". (Ord. No. 429, § 5.)

Sec. 27-6. Cross-connections--Unlawful when.

It is unlawful for any person, firm or corporation at any time to make or maintain or cause to be made or maintained, temporarily or permanently, for any period of time whatsoever, any cross-connection between plumbing pipes or water fixtures being served with water by the city water department and any other source of water supply or to maintain any sanitary fixture or other appurtenances or fixtures which, by reason of their construction, may cause or allow backflow of water or other substances into the water supply system of the city and/or the service of water pipes or fixtures of any consumer of the city. (Ord. No. 429, § 6.)

Sec. 27-7. Definitions.

"Air-gap separation" means a physical break between a supply pipe and a receiving vessel. The air-gap shall be at least double the diameter of the supply pipe measured vertically above the top rim of the vessel, in no case less than one inch.

"Approved backflow prevention assembly" means an assembly which has passed laboratory and field evaluation tests performed by a recognized testing organization which has demonstrated their competency to perform such tests to the California Department of Health Services.

"Approved water supply" means the water system of the city whose potability is regulated by the State Health Department.