

RESOLUTION 01-22-01  
POLICY FOR GOVERNING  
SEWER SYSTEM FOR  
SACHEEN LAKE WATER & SEWER DISTRICT

Rev January 12, 2022

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## SECTION I - GENERAL INFORMATION

### 1.1 AUTHORIZATION OF REGULATIONS

The Commissioners of the Sacheen Lake Water & Sewer District have the power to make such reasonable regulations as they deem necessary to carry out the provisions of this law and any other law relating to the Commission, pursuant to the State of Washington Sewer & Water District Laws, Title 57, and Revised 1996. This document pertains to all properties located within the Sacheen Lake Water & Sewer District.

### 1.2 DEFINITIONS

- A. COMMISSIONERS—the Board of Sewer Commissioners of the SACHEEN LAKE WATER & SEWER DISTRICT.
- B. DISTRICT—the SACHEEN LAKE WATER & SEWER DISTRICT in Pend Oreille county, Washington.
- C. ENGINEER—the consulting engineers and/or any of his authorized assistants or inspectors employed by the District.
- D. PERSON—any individual, firm, company, association, society, corporation, or group.
- E. MANAGER—the person employed by the District who is in charge of the Business Office of the District.
- F. SEWER or SANITARY SEWER—any lateral, trunk, or other sewer owned or constructed by and/or part of the public sewerage facilities of the District.
- G. SEWAGE—ground garbage, human and animal excretions, and all the types of domestic waste normally disposed of by a domicile, or commercial establishment through the sanitary drainage system.
- H. SIDE-SEWER—any intercepting line from any domestic and/or commercial service to the sewers of the District.
- I. SIDE-SEWER CONTRACTOR—a contractor licensed and bonded in the State of Washington, hired by as property/ owner or resident of a building for the purpose of constructing side-sewer facilities. See section 3.7.
- J. CHIEF OPERATOR—the person employed by the District who is in charge of the operation, maintenance and inspection of the sewer system and/or Waste Water Treatment Plant.
- K. DEVELOPER - Any individual or corporation that plats property for development of residential, multifamily, commercial & business purposes.
- L. WASTE WATER TREATMENT PLANT- The wastewater treatment plant of the District.
- M. POTW — Publicly Owned Treatment Works
- N. ELECTRICAL PUMP CONTROL PANEL- Means a control unit that is wired into each individual property owners electrical grid that controls the pump utilized by the District to regulate and provide sewerage services.
- O. PUMP UNIT- Onsite pump and chamber unit that grinds sewerage prior to release into the side sewer.
- P. AVAILABILITY CHARGE - Individual property's shared cost for the waste water collection and treatment plant facilities as part of the public sewerage facilities of the District. Q. PHASE ONE SEWER PROJECT- Those properties within the LID#3 boundary as well as any for which inclusion was requested after the formation of LID #3. (Appendix A)

### **1.3 RIGHT OF ACCESS**

The authorized agents of the District shall have the right of access to the customers side sewer, pump unit and electrical control panel, at reasonable hours, for the purpose of inspecting the customer's sewerage connections and for any other purpose which is proper and necessary in connection with the Districts business.

### **1.4 REQUIRED CONNECTIONS**

#### New Construction

The owner of each lot or parcel of real property whose closest property line is within 200 feet of the public sewerage system of the District, upon which lot or parcel of real property there shall be situated any improvement that is designed to be utilized for human occupancy, employment, recreation, or other purpose or use abutting on any street, alley or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer of the District, is hereby required, at his expense, to install suitable toilet facilities therein (or, in the instance of a trailer or mobile home to insure that there are suitable toilet facilities therein) and to connect such facilities directly with a proper sewer line. All connections to said sewerage system shall be made in a manner complying with the District regulations, and each toilet, sink, stationary washstand, or other piece of equipment having sanitary waste or other such matter as determined by the District to require connection, shall be connected with said sewerage system.

Whenever any land, buildings or premises are required to be connected with the public sewer, the owner of the lot is required to apply for a building permit with Pend Oreille County. Upon request, as required by the permit process, the district will provide a "will serve" to the owner of the lot or parcel of real property stating that they will or will not be able to connect to the sewerage system.

#### Failure of Septic Systems :

The owner of each lot or parcel of real property whose closest property line is within 200 feet of the public sewerage system of the District, and whose septic tank, drain field, or other private sewerage disposal system becomes inoperable in accordance with the provisions of the authorized health official or authority, currently the Northeast Tri-County District shall be required to connect to the public sewer system within 90 days if capacity is available.

### **1.5 PROHIBITED DISCHARGE STANDARDS**

#### General Prohibitions

No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements. (40 CFR 403.5(a) and WAC 173-216-060(2)(b)(i))

#### Specific Prohibitions

Except as hereinafter provided no person shall discharge or cause to be discharged any of the following waters or wastes to the district sewer system.

- A. Pollutants which either alone or by interaction may create a fire or explosive hazard in the POTW, a public nuisance or hazard to life, or prevent entry into the sewers for their maintenance and repair or are in any way injurious to the operation of the system or operating personnel. This includes waste streams with a closed-cup flashpoint of less than 140° F (60° C) using the test methods specified in 40 CFR Part 261.21. Such substances further include, but are not limited to:
- alcohol aldehyde benzene bromate carbide chlorate ether gasoline hydride kerosene ketone naphtha perchlorate peroxide sulfide toluene xylene or any other substance which the District, the Department of Ecology, or the EPA has notified the user is a fire hazard or hazard to the POTW.
- B. Any water or waste which may contain more than one hundred (100) parts per million by weight of animal or vegetable fat, oil, or grease (FOG).
- C. Pollutants, including oxygen-demanding pollutants (Biochemical Oxygen Demand, etc), released in a discharge at a flow rate and/or pollutant concentration, which, either singly or by interaction with other pollutants, will cause interference with the POTW.
- D. Solid or viscous substances in amounts that may cause obstruction to the flow in the sewer or other interference with the operation of the system
- E. Wastewater having a temperature that will interfere with the biological activity in the system, has detrimental effects of the collection system, or prevents entry into the sewer. In no case shall wastewater be discharged, which causes the wastewater temperature at the Waste Water Treatment Plant to exceed 40°C.
- F. Any waters or wastes having a pH lower than 5.5 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to sewer structures, equipment, personnel of the sewage works, or to be adversely active on sewage treatment processes.
- G. Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with the sewage treatment processes, constitutes a hazard to humans or animals, or creates any hazard in the receiving waters of the Waste Water Treatment Facility.
- H. Any waters or waste containing suspended solids or such character and quantity that unusual attention or expense is required to handle such materials at the sewage plant.
- I. Any noxious or malodorous gas or substance capable of creating a public nuisance or hazard to life, or to prevent entry into the sewers for maintenance or repair.
- J. Wastewater, which imparts color that cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the Waste Water Treatment Facility's effluent.
- K. Any detergents, surface-active agents, or other substances in amounts which may cause excessive foaming in the POTW.
- L. Any of the following discharges unless approved by the District under extraordinary circumstances such as the lack of direct discharge alternatives due to combined sewer service or need to augment sewage flows due to septic conditions
- M. (WAC 173-216-060(2)(b)(vii)):
- (a) Noncontact cooling water in significant volumes;

- (b) Stormwater, and other direct inflow sources; or
  - (c) Wastewaters significantly affecting system hydraulic loading, which do not require treatment or would not be afforded a significant degree of treatment by the POTW
- N. Any substance which will cause the POTW to violate its NPDES, State Waste Discharge or other disposal system permits or causing, alone or in conjunction with other sources, the treatment plants effluent to fail a toxicity test.

**1.6 FEDERAL CATEGORICAL PRETREATMENT STANDARDS**

National Categorical Pretreatment Standards as adopted and hereafter amended by the EPA pursuant to the Act shall be met by all Users in the regulated industrial categories. These standard, found in 40 CFR Chapter I, Subchapter N, Parts 405-471 , are hereby incorporated by reference.

**1.7 STATE REQUIREMENTS**

- A. State requirements and limitations on discharges to the POTW as incorporated into Washington State Law by Chapter 90.48 RCW and implemented in Chapter 173-201A WAC, Chapter 173-216 WAC, and Chapter 173-240 WAC, shall be met by all Users which are subject to such standards in any instance in which they are more stringent than Federal requirements and limitations, or those in this or other applicable Ordinances.
- B. Any User determined by the District to qualify as a Significant Industrial User shall file an application for a State Waste Discharge Permit with the Department in accordance with the requirements of WAC 173-216-070. Proof of acceptance of the application and payment of permit fees shall be kept at the User's facilities, and produced upon request by the District. Failure to submit the application or rejection of the application by the Department may be considered sufficient grounds to terminate or refuse to provide sewer service.

**1.8 LOCAL LIMITS**

- A. The following pollutant limits are established to protect against pass through and interference. No person shall discharge wastewater containing in excess of the following daily maximum allowable discharge limits.

Analyte	Daily Maximum Concentration Limit mg/L
Arsenic	0.5
Cadmium	0.11
Chromium	2.5
Copper	1.0
Cyanide	0.49
Lead	0.25
Mercury	0.03
Nickel	0.2
Silver	0.40

Zinc	3.0
Fats, oil or grease (FOG)	150
NH3-N	50.0
Total P04	10.0

Reduction in effluent ultra violet transmissivity (per cm at 254 nm wave length)	10% reduction
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**1.9 PENALTIES FOR VIOLATIONS**

Any violation of this Resolution and the rules and regulations of the District may impose a penalty not to exceed One Thousand Dollars (\$1,000.00) for each violation or the actual cost to the District, whichever is greater.

**1.10 COMMISSIONER MEETINGS**

The Commissioners of Sacheen Lake Water & Sewer District shall meet once per month to conduct business of the District. Meeting notices must comply with section 1.8 of these bylaws. Meetings canceled for any reason will be posted at the District Office and at the scheduled meeting room prior to the meeting time.

## **SECTION II - REGULATIONS FOR SERVICE**

### **2.1 RIGHT OF CLASSIFICATION**

The District reserves the right to determine the type of customer receiving sanitary sewer service and to classify the type of customer within the foregoing categories in the event there arises a dispute relative to the type of customer receiving sewer service and thus applicable sewer service rate, the District's determination as to the type of customer shall be binding upon the customer receiving sanitary sewer service in the absence of manifest error, however, a customer disputing the classification shall have the right to appeal the determination of the District to the Board of Commissioners, and, after a hearing on the matter before the Board, the determination of the Board shall be likewise binding on the customer in the absence of manifest error.

### **2.2 CLASSIFICATIONS OF SERVICE**

**DEFINITIONS:** Dwelling—a building or portion thereof designed exclusively for residential purposes, including one (1) family, two (2) family and multiple dwelling units, but shall not include resort, hotel, boarding and lodging houses.

**DWELLING UNIT:** One (1) or more rooms in a dwelling, commercial building, apartment house or any type of multiple family dwelling building designed for living or sleeping purposes that utilizes a single pump service within the boundaries of a single parcel or lot.

**GENERAL:** A sewer user charge shall be levied by the District on all users of the sewage collection and treatment facilities to cover the actual or estimated cost of operation, maintenance, replacement, and financing of these facilities. The user charge shall distribute these costs to each user in approximate proportion to such user's contribution to the total wastewater loading of said facilities. The sewer user rates for each user shall be based on the user's estimated or actual contribution to the total wastewater loading of the treatment facilities in comparison to a standard equivalent user as defined below. Each user shall be assigned a number of equivalent users to be multiplied by a constant monthly cost factor to determine the basic monthly sewer user charge rate. User connection fees and monthly rates will be based on the latest edition the Equivalent Users Schedule adopted by the Board of Commissioners.

**EQUIVALENT USER UNIT (ERU):** one equivalent user shall be defined as contributing 200 gallons per day of wastewater containing not more than .38 pounds of 5-day BOD and 0.38 pounds of suspended solids. The equivalent user flow is based on an average single dwelling unit of 2.36 people contributing 85 gallons per day per person. The wastewater strength is based on 0.16 pounds of 5-day BOD and 0.16 pounds of suspended solids respectively per person per day. The basic equivalent user shall be subject to revision if population, sewage volume, and/or other information indicate flow and/or strength significantly different than defined herein.

**EQUIVALENT USER SCHEDULE:** The number of equivalent users to be assigned to each user shall be in accordance with the latest adopted edition of the Sacheen Lake Water & Sewer District Equivalent User Schedule. Assignment of equivalent users shall apply for one year. A single user having more than one classification of use shall be the sum of all uses.

**REVIEW AND REVISION OF RATES:** The sewer rates and connections fees shall be reviewed annually and update to reflect actual costs of operation, maintenance, replacement and financing of the sewage collection and treatment facilities. The District may require installation of flow-measuring



devices and/or collect wastewater samples at any time in reviewing or revising a users equivalent user charges.

**USER REQUEST FOR RATE CHANGE:** Any sewer user may appeal to the Board of Commissioners regarding the assignment of equivalent user units. Each appeal must be in writing and indicate actual or estimated average flow and strength of wastewater in comparison to values assigned by the District. Additional studies and review may be required by the Board.

**NEW CONSTRUCTION AND VACANCIES:** For new construction, the sewer user charge shall begin when the service connection has been inspected and approved. All sewer users shall pay a user charge for their premises even though vacant or unoccupied, unless said premises have been destroyed by fire, demolished or otherwise made unfit for human habitation, then the user charge shall be terminated until the premises become habitable. The sewer ERU's will be classified as dedicated capacity.

**MONTHLY RATES:** Monthly rates for all sewer users in the District shall be established by resolution at a public meeting. The Monthly Rates shall be reviewed annually by the Board of Commissioners.

**DEDICATED CAPACITY-** Sewer ERU's that are not assigned to a residence or building and may be subject to special monthly fees as reserve units.

### **2.3 BILLING FOR SERVICE**

- A. The District shall bill all sewer service customers in accordance with the adopted Schedule of Rates and Charges. The current schedule shall be made available to the public at the District's business office. Sewer service billings shall include a base rate charged according to the service connection.
- B. Property owners whose property is rented to others shall be responsible for all sewer charges. All sewer bills and notices will be sent to the property owner, unless requested otherwise in writing by the property owner.
- C. The District shall have the right to charge a reasonable fee for processing checks returned to them by the bank for any reason, when such checks are received in payment of charges.
- D. All sewer service charges are due by the 10<sup>th</sup> of the month following the billing date. A \$10.00 late fee will be assessed for payments not received by the 10<sup>th</sup>.
- E. Developers will be required to sign District form, Intent to Pay Engineer Plan Review & Inspection Fees.
- F. Billing for regular service begins at date service is available to site regardless of use or building construction completion.

### **2.4 AUTHORIZATION FOR RECEIPT OF PAYMENTS**

The Manager or any such person who shall from time to time under the authority of the Board of Commissioners act as Manager of the District, shall collect all the rates and charges herein designated, and all such sums when collected shall be transferred by the District at least once each week to the County Treasurer of Pend Oreille County.

## **2.5 NEW CONNECTIONS**

New Connections: Billing for new connections will commence on the day of final inspection and approval of the sewer connection to the property.

## **2.6 DELINQUENT ACCOUNTS**

All sewer charges against property owners receiving or capable of receiving such services are deemed charges against the property served and when such charges are not paid by the end of the billing cycle, such charges are considered delinquent. Upon such charges becoming delinquent, there shall be added to said charges a late fee of ten dollars (\$10.00) per month.

Delinquent charges and penalties added thereto shall be a lien against the property upon which such service was received or capable of being received, subject only to the lien for general taxes, and shall be certified to the Treasurer of Pend Oreille County whenever such charges have been delinquent for a period of three (3) months. An additional notice and statement of amount due shall be sent to any customer whose account is over 90 days past due. If said amount is not paid within 10 days following mailing of notice, a lien will be filed with the County and the account will be sent to collection agency. Any and all additional costs of filing lien and collection fees shall be paid by the customer prior to the release of lien. The District may, thereafter bring suit and foreclose such lien by civil action in the Superior Court of the State of Washington for Pend Oreille County pursuant to RCW 57.

## **2.7 CESSATION OF BILLING**

All changes of ownership of property occurring during any calendar month will be billed to the date of change.

In the event that buildings or structures being billed for sewer service are destroyed by fire, demolished or otherwise made unfit for human occupation, the District will, upon capping off of the sidesewer and having such cap-off inspected by the District, amend its billing. Dedicated capacity charges may be applicable. At such time as buildings are rebuilt or otherwise made suitable for human occupation, the District will resume its regular billing for sewer service in accordance with the appropriate rate into which the user classification falls.

## **2.8 RESPONSIBILITY FOR SIDE-SEWER MAINTENANCE**

All expenses of operation and upkeep of the sewer system of the District, including the mains and side-sewers located in the street, alley, roads, and land for which an easement has been granted the District, shall be paid by the District except those expenses (1) cause by the negligence of the property owner or lessee; (2) resulting from the special or extraordinary service needs of a property owner or lessee; and (3) resulting from new or modified connections to the system made at the request of the property owner or lessee, which shall be paid by the owner or lessee of the property served. Except as provided above, the District shall be responsible for maintenance and repair and replacement of side-sewers up to the property line. The property owner shall be responsible for maintenance and repair and replacement of sidesewer on private property.

When any side-sewer or private sewer or portion thereof located on private property for which the District does not have a permanent easement becomes obstructed, broken or out of order, the District shall, if the owner, agent, or tenant of such premises fails to repair the same after ten (10) days notice to do so, cause such drainpipe to be removed, reconstructed, repaired, altered, or

cleansed as may be required, and all expenses incurred for such repair, replacement and cleaning shall be the responsibility of the property owner, agent or occupant of the premises.

## **2.9 PUMP POLICY**

### **I. Installation:**

- A. The Sacheen Lake Water & Sewer District (the "District") will purchase grinder pumps (including their container and the necessary electrical equipment and controls) for existing homes lines. The District will retain ownership of said pumps.
- B. Homes constructed after the District's sanitary sewer construction period, will have pumps installed by the homeowner, at the sole expense of the individual homeowner. The type of pump must be both acceptable to the District and conform to its By-laws. The homeowner is responsible for and shall bear the expense of the construction and installation of the service line from the home to the grinder pump and from such pump to the side sewer, if one has been installed or to the District's main if no side sewer exists. The District will assume ownership of the pump and side sewer upon acceptance by the District.
- C. The placement and location of the pumps referred to in Section 1.1 and 1.2 must be mutually acceptable to both the homeowners and the District. If the parties can't agree, the District's determination is final.
- D. The homeowner is in all respects responsible, including expenses relating thereto, for providing adequate electrical service so the grinder pump be safely connected in conformity with appropriate building codes .
- E. The homeowner shall bear the cost of all electricity required to operate the grinder pump.

### **II. Maintenance:**

The District, at its expense, will provide maintenance and repair to the grinder pumps and all side sewers for which easement has been granted.

### **III. Hold Harmless:**

The homeowner, by accepting the installation of a grinder pump, agrees to hold the District harmless from any and all losses, claims, expenses, damages, obligations and liabilities relating to the installation, operation, maintenance and repair of the grinder pump except for expenses and damages arising out of the District's gross negligence.

## **SECTION III - REQUIREMENTS FOR CONNECTIONS**

### **3.1 CONNECTION CHARGES**

Connection Charges: Connection charges and hookup fees shall be in accordance to the latest edition of the Board adopted Rate Schedule and thereafter amended.

### **3.2 ILLEGAL CONNECTIONS**

No gutter drain, downspout, storm water collection system, street drainage, swimming pool or any such waters shall be connected with the public sanitary sewer or side-sewer. Also, no cesspool, septic tank, privy vault or cistern shall be connected with the sanitary sewer or side-sewer.

### **3.3 OPENING PUBLIC SEWER**

It shall be unlawful for any person to make any opening in any sewer or connect any private sewer drain therewith.

### **3.4 REGULATIONS FOR SIDE-SEWER CONTRACTORS**

All contractors working on sewer mains and/or side sewers within the District shall be a licensed and bonded contractor to do work in the State of Washington. Contractors shall obtain and keep in force during the term of contract or work, Commercial General Liability insurance policies with insurance companies approved by the Insurance Commissioner of the State of Washington.

### **3.5 WORK IN PUBLIC STREETS-BONDED CONTRACTOR**

No person shall install side-sewers in any public thoroughfare or right-of-way and make connection to the District sewer unless he is bonded to do such work to the Sacheen Lake Water & Sewer District and to Pend Oreille County and has adequate liability insurance. Bond and insurance forms along with opening permit issued by Pend Oreille County must be in the possession of person working in right-of-way. The Manager has the authority to waive this requirement in the event of emergency.

### **3.6 RESTORATION OF ROADWAYS**

All work within the limits of any street or public place must proceed to completion with due diligence and if any excavation is left open beyond a reasonable time, in the opinion of the District, the Manager or Engineer may cause the same to be rebuilt and the street to be restored forthwith and any costs incurred in such work shall be charged to the contractor in charge of such work, or to the owner of the property and the actual costs may be added to the bill for sewer services and shall be a lien upon the property served by such side-sewer.

ADOPTED by the Board of Commissioners of the Sacheen Lake Water & Sewer District, Pend Oreille County, Washington at a regular meeting thereof this 12<sup>th</sup> day of January 2022.

Chairman, Rod Griggs

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Commissioner, Randy Carasco

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Commissioner, Shaun Bleecker

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ATTEST

District Manager, Joni Stillian

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