

**CHAPTER 3**  
**WASTEWATER SERVICE RULES**

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## **SECTION 1 - CONNECTION TO WASTEWATER FACILITIES**

For all purposes of these Service Rules, any use of the word “sewer” shall mean “sewer or wastewater”, as the case may be, these terms shall be used interchangeably in this instrument.

3-1.1 Any property within the CSWRD may be connected to one or more laterals or other service connections, which are connected to the facilities of the CSWRD only upon compliance by the owner or owners or the agent or agents of the owner or owners with all of the following conditions:

- a. A system development approval is obtained and all charges imposed under the CSWRD’s Service Rules are paid; and
- b. One or more laterals or other service connections of sizes and at locations, slopes and depths specified by the owner or owners or the agent or agents of the owner or owners have been installed in accordance with CSWRD’s design criteria at no expense to the CSWRD (1) by the owner or owners or by the agent or agents of the owner or owners or (2) by the CSWRD or its contractor upon request of and reimbursement of all costs and expenses by the owner or owners or the agent or agents of the owner or owners; and
- c. That portion of each lateral or other service connection which is located within a public right-of-way or a CSWRD easement has been inspected and approved by the CSWRD; and
- d. Notice of the desire to connect one or more laterals or other service connections to the CSWRD’s facilities has been given to the CSWRD on a working day of the CSWRD at least two (2) business days before the desired time of such connection; and
- e. Connection of each lateral or other service connection to the CSWRD’s facilities has been made in the presence of the CSWRD’s representative and in accordance with the CSWRD Design and Construction Standards.

3-1.2 If any property is connected to any one or more laterals or other service connections which are connected to the facilities of the CSWRD without compliance with all of the conditions of Chapter 3, of these Wastewater Service Rules and remains so connected without compliance with all of the conditions of Chapter 3, of these Wastewater Service Rules, 30 days after receipt by the owner or owners of written notice from the GM specifying the violations of the conditions of Chapter 3, of these Wastewater Service Rules, the CSWRD shall have the right to disconnect that property from the facilities of the CSWRD. The property may be reconnected to the facilities of the CSWRD only upon compliance with all of the above conditions and payment of the costs incurred by the CSWRD in disconnecting the property from the facilities of the CSWRD.

The CSWRD will maintain its facilities, which do not include laterals or other service connections within the public right of way or an easement granted to the CSWRD. The owner or owners will retain ownership of and will maintain all laterals or other service connections originating on their property to the point of the public right of way or an easement granted to the CSWRD at no expense to the CSWRD. CSWRD will exercise its option to repair as determined by a CCTV inspection of the lateral located only within the right of way/easement. The lateral portion located behind the property line is the sole responsibility of the owner to repair.

The owner or owners will indemnify and hold the CSWRD harmless from all liability for damages, costs, expenses and attorneys’ and other professionals’ fees based upon, resulting or arising from the size, location, slope or depth of any lateral or other service connection.

## **SECTION 2 - WASTEWATER MAIN LINE EXTENSIONS**

### 3-2.1 General

- a. When a Developer intends to construct an improvement upon his land that requires a sewer main extension, he shall submit sewer main line extension plans, in accordance with the CSWRD design criteria, as amended, to the CSWRD for review and approval by the CSWRD. Construction on a main line extension shall not commence until the CSWRD has approved the plans and as otherwise provided in this Chapter 3.
- b. The Developer shall be bound by and subject to the CSWRD's decision as to the necessity for and extent of oversizing of a main line extension.

### 3-2.2 Source of Funds

The Developer shall be responsible for all costs for a main line extension including, but not limited to design, easements, and construction, except for the cost of oversizing. Funds for the CSWRD's share of construction costs of oversized main line extensions may be expended from the CSWRD's capital account. Payment for oversized main line extensions shall not be made until the CSWRD has accepted the main line extension for operation and maintenance, except as indicated in Chapter 3, of these Wastewater Service Rules and then only after the Developer has invoiced the CSWRD for the cost of oversizing.

### 3-2.3 Main Line Extension

The Developer shall supervise the design utilizing the services of the Developer-designated engineer. The Developer shall be bound by and subject to the CSWRD's decision as to the necessity for and extent of oversizing of a main line extension. The Developer shall schedule the design and construction of such main line extension to best fit the need of the Developer and the time schedule provided by the Developer. The CSWRD will not assume any responsibility or liability for any financial loss incurred by a Developer due to delays in the completion of construction of a main line extension, but shall exercise every diligence for timely approval of plans, specifications, and construction inspection of the main line extension for compliance with CSWRD design criteria. The Developer shall conform to all federal, state, and local laws or regulations.

### 3-2.4 Wastewater Main Line Construction by a Developer

- a. In the event the construction by a Developer of sewer lines covered by any approved sewer main line extension plan is not started within one (1) year from the date of approval, the project shall be deemed to have been abandoned, and any subsequent proposal for reactivation shall be treated as a new project. The same shall apply when active construction work is discontinued for a period of one (1) year. In the event of abandonment or cessation of construction, prepaid connection privilege fees and other deposits shall be refunded proportionately to the extent of completion. A time extension may be granted upon request to the CSWRD by the Developer provided the plans are revised to meet current conditions and design criteria. In the event of abandonment of off-site sewer lines, other Developers shall be permitted to utilize the abandoned sewer lines and appurtenances in their work should they desire to do so, based on their own set of sewer main line extension plans submitted to and approved by the CCWRD for finishing the abandoned work. It will be the Developer's responsibility to receive permission from the original Developer, or his contractor, to complete the work.
- b. Time Limitations (see earlier comments on proportionate refunds)

Approval by the CSWRD for any main line extension shall be valid for a limited time. In the event that construction of the mains covered by any approved plan is not started within one (1) year from the date of approval, or as designated in the construction agreement, the project shall be assumed to have been abandoned and any subsequent proposal for reactivation shall be

treated as a new project. The same shall apply when active construction work is discontinued for one (1) year.

All sewer facility construction must be completed within two (2) years from the date of plan approval.

If work is not completed in the two (2) year period, the Developer may request a time extension, however, an additional inspection fee is required. A day for daytime extension may be granted by the CCWRD for work that cannot progress due to weather and ground conditions, which disrupt normal construction operations.

If toward the completing of the two (2) year period, the work will not be completed in the next six (6) months, the Developer shall also post a bond or cash deposit with the CCWRD to assure completion in one (1) year, or the project may be canceled.

- c. All Developer-constructed sewer lines, service connections, and appurtenances, excluding service laterals, which are owned and maintained by the Developer, shall be constructed to conform to the CSWRD design criteria, subject to inspection and acceptance by the CSWRD. Connections to the existing sewer lines shall be made only in the presence of a representative of the CSWRD. The Developer shall provide timely notice to the CSWRD in accordance with design criteria.
- d. Materials and workmanship of work performed solely by Developer shall be guaranteed free of defects for a period of one (1) year from the date of acceptance by the CSWRD. Should any defective material or workmanship affecting facilities installed by the Developer be disclosed within one (1) year of the date of completion and acceptance of the facilities by the CSWRD, the Developer shall immediately cause the defect to be corrected, or shall immediately reimburse the CSWRD for the cost in correcting it. If the Developer fails within thirty (30) days after receiving a demand from the CSWRD by certified mail, to reimburse the CSWRD for its cost in correcting a defect in materials or workmanship, the CSWRD shall refuse to issue a certificate to the building officer, "that all sewer facilities necessary for the permitted use or occupancy of the Developer's building (s) or structure (s) have been accepted by the CSWRD.
- e. Sewer lines and appurtenances shall be located within dedicated rights-of-way or within easements granted to the CSWRD not less than twenty (20) feet in width or as the CSWRD may specify. Where sewer lines or its appurtenances are to be constructed in other than dedicated public streets or alleys, the customer or Developer shall furnish the CSWRD easements, satisfactory in form. The conditions of such easements shall be such that no buildings, permanent structures, fences, trees or other improvements which would interfere with the use by the CSWRD may be placed upon it; that the CSWRD shall have the right to operate, maintain, repair, replace, and/or change the size and/or number of pipelines and appurtenances; and that proper access to all parts of the easement by CSWRD personnel and equipment is provided. The CSWRD may provide that other utility lines may be installed in said easement, so long as they do not interfere with its use by the CSWRD or conflict with legal requirements as to separation of utility lines. All rights-of-way and easements shall be indicated on the sewer main line extension plans, and be recorded prior to release of the approved plans.
- f. Upon satisfactory completion of construction and acceptance of the sewer main line extension facilities by the CSWRD, the Developer shall convey the sewer line, service connections, excluding service laterals which are owned and maintained by the Developer, and appurtenances thereto, to the CSWRD so as to grant it absolute right, title, and interest in all such sewer lines, service connections, excluding service laterals which are owned and maintained by the Developer, and appurtenances thereto, free of liens and other encumbrances

## **SECTION 3 - ON-SITE PUMPING STATIONS**

These regulations establish uniform requirements for contributions into the wastewater collection and treatment system of the CSWRD via on-site sewage pump stations. The purpose and objective of these regulations is to enable the CSWRD to control the levels of corrosive and odorous sulfide compounds contributed by private on-site sewage pump stations, to limit damage to CSWRD facilities and control odor emissions caused by discharges of on-site sewage pump stations.

Therefore, these regulations, in addition to requiring registration of on-site pump stations, require user reporting, require that users submit to monitoring activities, provide sanctions for violations of these regulations, and establish procedures for the recovery of costs from pump station users of the wastewater treatment system for damages.

These regulations shall be implemented, administered, and enforced by the CSWRD.

### 3-3.1 Pump Station Design

All pump station design criteria must conform to the CSWRD Design and Construction Standards for Wastewater Collection Systems and must be approved prior to construction.

### 3-3.2 Sulfide Discharge Limitation

Pump station owners/operators, must maintain pump stations in a manner that prevents the emissions of excessive Hydrogen Sulfide (both liquid and gas) into the pump station wet-well and collection system.

A series of Best Management Practices, relating to maintenance and Hydrogen Sulfide prevention must be presented and approved by the CSWRD. Best Management Practices shall be presented at the time of plan submittal for each pump station.

Any actual damage to the CSWRD collection system from Hydrogen Sulfide emissions shall be the responsibility of the pump station user. For the purpose of these Service Rules, this responsibility includes, but is not limited to sewer lines, manhole housings, laterals, and surrounding concrete. The cost for repair and replacement shall be paid by the owner/operator.

### 3-3.3 Pump Station Monitoring

To assist in ascertaining compliance with these Service Rules, CSWRD Representatives may enter upon lands, waters, and premises for the purpose of making inspections, tests, examinations, and observations.

Where the CSWRD has determined that any discharge limitations established by these Service Rules are exceeded, a pump station-monitoring program shall be implemented. A proposed monitoring program shall be submitted by the customer to the CSWRD within 30 days of written notice of non-compliance by the CSWRD. The monitoring program shall be implemented within two (2) weeks following CSWRD approval. Monitoring requirements shall be specified on a case-by-case basis and shall take into account the duration and intensity of the non-compliance, potential damage to CSWRD property, odor emissions attributable to the pump station, and other factors which may be appropriate. The cost for any required monitoring, including but not limited to purchase and installation of equipment, and analytical services is the sole responsibility of the pump station owner/operator.

### 3-3.4 Pump Station Registration

All pump station owners/operators, or their duly authorized representatives, must register their pump station with the CSWRD and obtain a permit for discharge into the CSWRD's system. Registration information shall include name and address of the owner/operator, location, type, make, model, capacity, and written standard operating procedures. Information shall be submitted on a form prepared

by the CSWRD at the time of application for sewer service. Any permit issued to the pump station user may be conditioned on compliance with requirements deemed necessary by the CSWRD to protect the collection system.

### 3-3.5 Pump Station Inspections

All devices shall be inspected on a yearly basis by a licensed, qualified individual for the purpose of determining structural integrity. Such individual shall be contracted by the pump station owner/operator.

### 3-3.6 Enforcement and Penalties (On-Site Pumping Station)

Whenever the CSWRD finds that any pump station owner/operator is in non-compliance with any prohibition, limitation, or requirement contained in these Service Rules, the CSWRD shall serve upon such person a written notice stating the nature of the violation.

In the case of written notice, the user shall submit to the CSWRD within (30) thirty days of the date of notice, a plan for the satisfactory correction of the violation.

Any pump station owner/operator notified of a suspension or revocation of his discharge permit shall immediately cease discharging. If the pump station user fails to comply with these regulations, CSWRD shall take such steps, as it deems necessary, including immediate severance of the sewer connection, and may commence an action for other appropriate legal or equitable relief.

Any pump station user who fails to comply with any provision of these Service Rules or any order, rule, regulation or permit issued hereunder, may pay a fine not to exceed \$100 for each offense, in addition to any costs incurred by CSWRD for repair to the collection system. The CSWRD shall set the amount of the fine in each case within the allowable range, depending on the nature and grievousness of the offense.

Any person who knowingly or negligently makes any false statements, representation or certification in any application, record, report, plan or other document made, filed or required to be maintained pursuant to these regulations, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these regulations shall, upon conviction, be punished by a fine of not more than \$100.00 or by imprisonment for not more than one (1) month, or both, for each separate offense. Nothing contained herein shall limit in any way the right of the CSWRD Board to establish uniform criteria for assessing fines or to adjust any monetary fines set by the CSWRD, within the allowable range, after a hearing and in the interest of justice. Each day on which a violation occurs or continues to occur shall be deemed a separate and distinct offense.

In addition to the various penalties provide herein, the pump station owner/operator shall pay and the CSWRD shall seek to recover reasonable attorney's fees, court costs, court reporter's fees, other expenses of litigation and damages for any loss sustained or costs incurred as a result of non-compliance with these regulations or any orders, rules, regulations or permits issued hereunder.

### 3-3.7 Show Cause Hearing (On-Site Pumping Station)

CSWRD shall allow any owner/operator found to be in non-compliance of these Service Rules to show cause before the Board or the GM why any proposed enforcement action should not be taken. Notice shall be given to the pump station owner/operator requesting the hearing, specifying the time and place of the hearing, who will hold the hearing (the Board or its designee), what action and the reasons why the action is to be taken, and directing the pump station owner/operator to show cause before the Board or their designee why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days before the hearing. Service may be made on any agent or officer of a corporation.

Failure on the part of any pump station user requesting such a hearing to be present for such hearing after notice has been given shall constitute a waiver of rights relative to and consent to abide by the enforcement action.

- 3-3.8 The Board may itself conduct the hearing and take the evidence or may designate any of its members to:
- a. Issue in the name of the Board notices of hearings requesting the attendance and testimony of witnesses and the production of evidence relevant to any matter involved in such hearings.
  - b. Take the evidence, including testimony to be given under oath and to be recorded stenographical.
  - c. Transmit a report of the evidence and hearing including transcripts and other evidence, together with recommendations to the Board, for action thereon.
  - d. Make available to any member of the public or to any party to the hearing, transcript of the hearing upon payment of a reasonable charge.

After the Board has reviewed the evidence and stated its findings, the pump station user shall abide by any appropriate and necessary order issued by the Board, including any order to install and/or properly operate adequate facilities, devices, or other appurtenances or to pay any fines. The Board shall specify in its order, a time period for compliance with its directives.

Provision for adjunctive/monetary relief in the event centralized maintenance and operations management is violated will include all costs incurred by CSWRD including fines paid by CSWRD. Adjunctive relief shall be in accordance with federal, state, and local law.

## **SECTION 4 - USE OF RECLAIMED WATER**

### 3-4.1 Conditions

The CSWRD fully supports the use of non-potable water for use by large turf and landscape irrigators, and appropriate non-residential users as part of a continuing effort to conserve potable water for domestic consumption.

CSI will deliver non-potable water from approved CSWRD treatment facilities, and such water shall be used for irrigation or non-residential use on the user(s) premises in compliance with these Services Rules, all applicable rules and regulations of federal, state, county, city, other local regulatory agencies, and the approved State Effluent Management Plan. The CSWRD shall be solely responsible for receiving and treating the non-potable water in compliance with applicable regulatory agency requirements, up to and including the point of connection to the CSWRD distribution system.

Plans for the installation of non-potable services shall be submitted as required under the CSWRD Service Rules, as amended. The design, construction, operation, and maintenance of all onsite potable golf course systems, or other non-potable irrigation and non-residential area systems shall be the responsibility of the non-potable water user.

### 3-4.2 Responsibilities

The CSWRD will:

- a. Operate the POTW to deliver non-potable water to the CSWRD point of connection in compliance with applicable regulatory agency requirements.
- b. Maintain ownership, control, and assume maintenance and repair responsibility of the POTW, including, as appropriate, meter, control valve, and vault, to the point of distribution, as well as the reservoir level sensing device and its appurtenant communication features.
- c. Allow non-potable large turf and landscape irrigation or non-residential services to be designed and constructed in accordance with CSWRD standards, and subject to applicable rates, fees, and charges by each agency.
- d. Allow potable service as part of large turf and landscape areas that, for example, may be designated for golf tees and putting greens. This type of service will be allowed during new golf course construction, or of other large turf and landscape irrigation systems. Potable water charges will be based on the rates and charges established in these Service Rules.
- e. Review and approve User plans for a transition from a potable water supply to a non-potable water supply, with ongoing fees being the responsibility of the User.
- f. Develop a system buy-in formula to establish equity among users of the treatment facilities.

The Non-Potable Water User(s) will:

- a. Install, operate, maintain, and repair any off-site and on-site non-potable water irrigation systems with all appurtenances necessary to meet, convey, control, distribute through the irrigation or storage system, and use the non-potable water delivered by the CSWRD in compliance with the applicable provisions of city, county, state, and federal statutes, ordinances, or regulations and pursuant to these Service Rules.

User on-site installation, operation, maintenance, and repair responsibility will include, but not be limited to, responsibility for all types of onsite irrigation pipelines, pumps, sprinklers, storage facilities and their maintenance if located on User's property, and compliance with any approved effluent management plan.



- b. Provide a forecast of maximum daily non-potable water demands, as required by the CSWRD.
- c. As necessary, design and construct any non-potable conversions to potable water irrigation for designated large turf and landscaped areas.

Warrant that it will conduct an annual inspection of activated onsite potable and non-potable irrigation systems. These inspections shall be performed by a certified cross-connection control specialist and a copy of the Inspection results will be forwarded to the CSWRD. The non-potable water user will ensure that no cross-connections of potable and non-potable systems occur during the life of the irrigation systems and correct any deficiencies in this regard.

## **SECTION 5 - SYSTEM DEVELOPMENT APPROVALS WHEN LINES ARE AT CAPACITY**

In the event the capacity of any CSWRD collection facility becomes limited, the GM may reserve such capacity as is deemed necessary for any public governmental use. If this reservation of capacity is protested, a notice of appeal must be submitted to the Board of the Coyote Springs Water Resource General Improvement District for consideration at their next regularly scheduled meeting. Such appeal must be in writing and delivered to the GM at least five (5) days prior to the next regularly scheduled meeting of the Board.

In the event the capacity of any Coyote Springs Water Resource General Improvement District collection facility becomes limited, the GM is authorized to pre-sell System Development Approvals on a first-come-first-served basis for any system capacity increase that has been authorized by the Board for projects or development in the affected area. The pre-selling of System Development Approvals (SDA) will only be authorized for those projects or developments to the extent of future wastewater collection capacity are projected to be available.

The pre-selling of System Development Approvals does not guarantee wastewater collection capacity for any project or development but provides a mechanism on which development can commence concurrently with the time in which collection capacity is projected for construction.

Any person who purchases an SDA under the provisions of these Service Rules shall not discharge any sewage into the system until the CSWRD's project to relieve the Capacity Sewer is completed.

Any person who purchases an SDA under the provisions of these Service Rules shall assume all risk associated with and hold the CSWRD harmless from delays in completing the relief sewers prior to the time sewer service is required by the customer.

When available, future capacity will be allocated on a first-come-first-served basis and the date of issuance of the System Development Approval will serve as the determination of first-come-first-served for the purpose of this section. Any project or development requesting System Development Approvals to be issued on a pre-sell basis will be required to commence actual construction (as defined in Clark County Code), within three (3) months from the date of advance from a System Development Approval.

In the event that actual construction is discontinued for a period of three (3) months, the project shall be deemed to be abandoned and any subsequent proposal for commencement or reactivation will be treated as a new project. In the event of abandonment of a project, prepaid System Development Approval charges shall be refunded.