

CHAPTER 24

SEWERS AND SEWAGE DISPOSAL

Article I. In General.

Sec. 24-1. Purpose.

The purpose of this chapter is to protect the environment, public health and safety, by regulating the disposal of sewage and other wastes.

Sec. 24-2. Applicability.

Unless otherwise provided, this chapter shall apply (1) in the unincorporated area in the county, and (2) within each incorporated city that has not appointed its own Health Officer.

Sec. 24-3. Sewer Agency With Jurisdiction.

"Sewer Agency With Jurisdiction" means an agency that owns and operates a public sewer collection system, and that regulates sewage disposal.

Sec. 24-3. Regulation of Sewers

Violation of a lawful ordinance, rule, or regulation of a "Sewer Agency With Jurisdiction" in the unincorporated area of the county is a violation of this chapter.

Sec. 24-1. Definitions.

~~For the purpose of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section:~~

~~"Backfill" means replacement of earth or other material removed from any trench or excavation and replacement of all road materials removed in order to lay sewer pipes or to make connections.~~

~~"Cesspool" means a tank, box or sump used for receipt of crude sewage, containing no provision for the nitrification, clarification or disposal of the sewage, and for which discharge of such sewage is upon the open ground.~~

~~"City" means any incorporated municipality within the county.~~

~~"District" means any of the several districts described in Section 24-30.~~

~~"District board" means the governing body of a district.~~

~~"Drain" means any conduit for the conveyance of storm water or surface or subsurface ground drainage water.~~

~~"Engineer" means the director of public works of the county of Sonoma or his duly authorized representative.~~

~~Engineering department. The county sanitation engineers' office.~~

~~"House service sewer" means that part of the sewer piping beginning at the junction thereof with the house plumbing or drainage system and terminating in the lateral sewer.~~

~~"Lateral sewer" means the sewer in the street designed to accommodate more than one (1) lateral sewer.~~

~~"Main sewer" means the street sewer designed to accommodate more than one (1) house service sewer.~~

~~"Paved surface" means any pavement used on any street in the county, whether such pavement is composed of concrete, asphalt, oil, gravel, crushed rock or any combination of such forms of pavement.~~

~~"Septic tank system" means an arrangement of reservoirs or tanks which receive crude sewage and by septic bacterial action, effect decomposition and settlement of settlable solids and diversion of the septic liquid for clarification and purification.~~

~~"Street" means any public highway, road, street, avenue, alley, way, easement or right of way.~~

~~Sec. 24-2. Purpose of article—Connection to public sewage system required—Exception.¹~~

~~The intent and purpose of this article is to provide certain minimum standards, provisions and requirements for design, method of construction and use of materials in sanitary sewerage facilities hereafter installed, altered or repaired. Except as otherwise provided in this article, whenever public sewerage facilities are available, it shall be unlawful for any person to construct, alter, install, maintain or provide other means of sewage disposal from any buildings in any of the unincorporated territory of the county as set forth in Section 24-30, except by connection with such public sewerage systems in the manner provided in this article.~~

~~Sec. 24-3. Sewer inspector generally.~~

~~The county sanitation engineer shall act as sewer inspector. The duties of the sewer inspector shall include:~~

- ~~(a) —Supervising all connections to district sewer lines (or to all lines for which maintenance has not been assumed by other agencies);~~
- ~~(b) —Inspecting all trenches for alignment and grade and approving them for pipe laying;~~
- ~~(c) —Inspecting pipe laying and joining;~~
- ~~(d) —Inspecting backfill, pavement replacement and completion of work;~~
- ~~(e) —Issuing an acceptance of work completed satisfactorily;~~
- ~~(f) —Checking plans and issuing permits as required by this article.~~

~~Sec. 24-4. Excavations generally.~~

~~The County Sanitation Engineer, acting in behalf of the county, shall have jurisdiction over excavations for the construction, installation, maintenance, repair or replacement of sewer mains, laterals, house services and appurtenances in any county highway. Under provisions of sections 15-8 to 15-18, permits for such excavations in any county highway shall be obtained prior to the performance of any such excavation within the same. The application for such a permit shall be made to the County Sanitation Engineer at the same time that application is made for the permit required under such sections, and shall comply with the provisions of such sections. Cash deposits, certificates of insurance or bonds, as required by the County Sanitation Engineer, shall be deposited with the County Sanitation Engineer.~~

~~Sec. 24-5. Inspections and fees.~~

~~In all cases where any inspection is required, not less than twenty four (24) hours notice shall be given to the County Sanitation Engineer, stating the approximate time when the work will be sufficiently advanced for~~

¹As to building generally, see Ch. 7 of this code.

inspection. The following fee shall be charged and collected by the County Sanitation Engineer for issuing a permit and inspecting construction*:

~~Sewer—House to Property Line:~~

~~Number of Structures Fee (total)
On One Permit~~

1	\$ 95.00
2	165.00
3	220.00
4	270.00
5	315.00
6	350.00
7	380.00
8	405.00
9	425.00
10 or over	45.00 (per structure)

House Service Sewer—Property Line to Main	\$95.00 each
House Service Sewer Repairs	\$50.00
Plan Checking (must be paid prior to plan checking by the county sanitation engineer)	\$00.25 per ft. of main line (min. charge = \$75.00)
Main Line	\$00.95 per ft.
Manhole	\$40.00 per each
Street Cleanout	\$8.00 per each

~~* No permit or fee will be required of contractors constructing sewerage facilities for a district, under contract with that district for such projects the district shall pay the county directly for actual costs of inspection.~~

~~If construction (excluding trenching) is commenced prior to obtaining a permit, add seventy-five dollars and no cents (\$75.00) to the above permit fees.~~

~~If a permit is obtained, but no inspection secured prior to covering the work, a special "Late Inspection" permit shall be obtained at a cost of seventy-five dollars and no cents (\$75.00).~~

~~Persons requesting inspections at any time other than the regular working hours of the county shall pay an additional fee calculated by the engineer to represent the additional cost to the county. A deposit of one hundred dollars (\$100.00) shall be requested ahead of time by the engineer, and the applicant billed for actual time following completion of the inspection. Said inspection outside the regular working hours of the county shall be subject to availability of county personnel.~~

~~Sec. 24-6. When work to be completed, etc.~~

~~All work under the provisions of this article shall be completed and inspected within the time specified in the permit for such work issued by the county sanitation engineer.~~

~~Sec. 24-7. Sewer construction permit generally.²~~

~~The application for the permit for sewer construction shall be checked by the County Sanitation Engineer for accuracy of details thereon and from personal knowledge of local site conditions. He shall approve the application as filed or as he may modify it to suit the better interest of the applicant and the district involved, and thereafter countersign the application. The County Sanitation Engineer is authorized to issue the permit after the application has been approved by him, and he is authorized and directed hereby to collect all fees, deposits and charges which, by the provisions of this article, are payable by the applicant on or before the delivery of the permit to the applicant. All money received in fees and charges shall be deposited with the county treasurer-tax collector. Money received as excavation deposits shall be returnable at the order of the County Sanitation Engineer upon evidence of satisfactory completion of the work for which such deposit was a guaranty.~~

~~Sec. 24-8. Bond required of permittees.~~

~~All persons who intend to engage in any of the work covered by this article shall first execute a corporate surety bond in the sum of one thousand dollars payable to the county, conditioned upon the faithful performance of the terms and conditions of this article, which bonds shall be filed with the County Sanitation Engineer; except, that no bond will be required for the installation of a house service sewer from the property line to the house plumbing.~~

~~Sec. 24-9. Sewer construction plans and specifications.~~

~~The working plans and specifications for any proposed construction of lateral sewers or main sewers, with a map showing the location thereof, shall be submitted to the county sanitation engineer for his approval prior to the issuance of any permit for such construction. Such plans and specifications shall be designed by a civil engineer licensed to practice in the state under the provisions of the Business and Professions Code of the state, and shall bear the signature or seal of such engineer.~~

~~Sec. 24-10. Notice to correct defects.~~

~~Where sewer work has been inspected, and all or any portion thereof condemned before acceptance, a written notice to that effect shall be given to the permittee or the owner of the premises to make repairs, reconstruction or replacement as may be necessary to place the sewer in satisfactory condition in accordance with the terms and provisions of this article.~~

~~Sec. 24-11. Responsibility of permittees for acts of agents and employees; correction of defects, etc.~~

~~All persons performing work under this article shall be responsible for all acts of their agents or employees in connection with such work. Upon being notified in writing by the County Sanitation Engineer of any defect arising therefrom in any sewer, or in violation of the provisions of this article, the person responsible for such work shall immediately correct such defect or violation.~~

~~Sec. 24-12. To whom sewer construction permits may be issued.~~

~~Permits for lateral and main sewer construction or house service sewer construction shall be issued only to those persons holding a valid license issued by the state authorizing the holder thereof to perform the work of~~

²As to construction, etc., permits generally, see § 7-6 of this code.

constructing sewer systems and laying the pipes therefor; except, that such license will not be required for the issuance of a permit for the construction of a house service between the property line and the house plumbing.

~~Sec. 24-13. Barriers, lights and signs.~~

Barriers, lights and signs shall be maintained to give warning to the public of any construction being performed under this article and of any dangerous condition existing in consequence thereof, as required by section 21406 of the Vehicle Code of the state. Such signs shall not be below the minimum standards and shall conform to the specifications set forth in the manual issued by the Department of Public Works, division of highways of the state, in accordance with section 465.7 of the Vehicle Code of the state, as amended.

~~Sec. 24-14. Requirements for laying pipe and joints generally.~~

The "County of Sonoma, Sewage System Standards, January 1965, Including Standard Drawings" and "County Sewer Standards (Building Sewer)" as they exist or are hereafter modified by resolution, shall be adopted as construction standards. All design and construction shall conform to said standards.

~~Sec. 24-14.1. Preconditions to television inspection.~~

All main and lateral sewers for which permits are issued on, or after, the effective date of this ordinance shall be subject to closed circuit television inspection by the county prior to acceptance. The following conditions shall exist prior to the permittee requesting television inspection;

- (a) ~~— All sewer lines shall be installed, backfilled and compacted.~~
- (b) ~~— All structures shall be in place, all channeling complete and all pipelines accessible from structures.~~
- (c) ~~— All other underground facilities, utility piping and conduit shall be installed.~~
- (d) ~~— All compaction required shall be completed.~~
- (e) ~~— Pipelines to be inspected shall be balled and flushed and a tag line pulled through each section of pipeline and secured at each manhole or other appurtenance. Tag lines shall be monofilament, polypropylene, single ply, or equal, having a tensile strength of 200 pounds minimum.~~
- (f) ~~— The final air or water test shall have been completed.~~

When the above work is completed, the permittee shall request the county to establish a date for television inspection. The county will notify the permittee in writing as to the scheduled date of the television inspection. There shall be no charge for said television inspection, except as hereinafter provided.

If it is later determined by the permittee that the job site will not be ready or accessible for television inspection on the scheduled date, the permittee shall notify the county of the necessary cancellation at least 24 hours in advance of the scheduled inspection to avoid being charged a cancellation fee.

If the county's television crew arrives at the job site and the work is not ready or accessible, the permittee shall be billed a cancellation fee of one hundred twenty five dollars and no cents (\$125.00) payable to the county prior to the date of a rescheduled television inspection.

~~Sec. 24-14.2. Defects requiring correction.~~

The following observations shall be considered defects in the construction of the sewer pipelines and will require corrections prior to acceptance:

- (a) ~~— Off grade 0.08 foot, or over, deviation from grade.~~
- (b) ~~— Joint separations over 3/4".~~

~~(c) — Offset joints.~~

~~(d) — Chips in pipe ends none more than 1/4" deep.~~

~~(e) — Cracked or damaged pipe or evidence of the presence of an external object bearing upon the pipe (rocks, roots, etc.).~~

~~(f) — Infiltration.~~

~~(g) — Debris or other foreign objects.~~

~~(h) — Other obvious deficiencies when compared to county ordinances and standards.~~

~~The permittee shall be notified in writing of any deficiencies revealed by the television inspection that will require repair, following which the permittee shall excavate and make the necessary repairs.~~

~~Reinspection television fees, as estimated by the engineer, shall be paid by the permittee prior to the scheduled television reinspection. The minimum fee for reinspection shall be \$225.00.~~

~~Sec. 24-15. Connection of house service sewers to lateral sewers—Generally.~~³

~~(a) — All house service sewers shall be connected to the lateral sewer at a standard tee or wye branch where such branch is installed in place in such lateral sewer within ten feet along such sewer from the point thereon at which service is desired. The stopper in the bell of the tee or wye shall be removed in a manner not to injure the bell. The walls and base of the bell shall be thoroughly cleaned and a spigot of pipe or bend fitted to the bell for the required direction of the lateral. The packing and completion of the joint connection to the lateral shall not be made until a sufficient length of the lateral has been laid and controlled in position by tamped earth to insure against movement of pipe in the joining during further pipe laying and joint making processes. Thereafter, the sewer connection joint shall be completed as provided in section 24-14. Backfills shall be placed and tamped firm in such a manner that the completed joint will not be disturbed or injured.~~

~~(b) — In case there is no existing tee or wye branch within the distance as mentioned in subsection (a) above from the desired point of house service connection, a saddle having a skirt fabricated therein which will prevent the entrance of the spigot of the saddle to a depth greater than the thickness of the wall of the pipe tapped shall be installed as follows:~~

~~An opening shall be cut in the barrel of the lateral sewer pipe and carefully trimmed to a snug fit of the spigot of the saddle when centered therein, with the tap of the entering house service at the top of the lateral sewer pipe and pointing down grade on the lateral sewer. The exterior of the lateral sewer pipe shall be thoroughly cleaned for a distance of not less than eight inches along the pipe each way from the outer edge of the saddle skirt and for a distance around the barrel of not less than three eighths of the outside circumference thereof each way from the center of the saddle location in case the lateral sewer pipe is ten inches in diameter or greater, but entirely around the pipe in case the sewer is smaller than ten inches in diameter. The saddle then shall be mounted in the required position in mortar sufficient to give a full bearing of the skirt of the saddle on the pipe and the scarfed edges of the opening therein. Care should be taken that no fragments of pipe or mortar are allowed to waste into the lateral sewer. Temporary struts shall be placed from the bell of the saddle to insure security of position of the saddle. Concrete shall then be placed covering the cleaned area above described and of a depth to entirely enclose the saddle to the lip of the bell. All the work shall be done under the supervision of direction and to the satisfaction of the sewer inspector. After completion of the concrete saddle block and after the placing of the concrete about the saddle, connection of the house service sewer thereto may be made and pipe laying therefrom continued.~~

³As to building regulations generally, see ch. 7 of this code.

~~Sec. 24-16. Same—Trenches to be left open and work uncovered until inspected, etc.; trenches generally; special provisions in lieu of immediate restoration of pavement.~~

~~All trenches shall be left open, and all house service sewers and connections to the lateral sewers and main sewers shall be left uncovered for inspection until after the inspection has been made, and the placing of backfill authorized. Such trenches shall be excavated and backfilled and the pavement restored in accordance with the laws of the state and any provision of this code or other ordinance of the county relating thereto.~~

~~Where pavement cannot be satisfactorily restored due to adverse weather conditions or other conditions incident to the work, the upper six inches of trench shall be filled to the level of the adjoining street surface with crusher run base rock or natural shale rock from a source approved by the engineer, and shall be maintained in a safe condition for travel by the permittee until such time as the pavement shall be fully restored. Such pavement shall be restored immediately whenever, in the sole judgment of the county sanitation engineer, it may be satisfactorily restored as provided by this article.~~

~~Sec. 24-17. Cleanouts in house service sewers.~~

~~Cleanouts, constructed in accordance with the drawing on file in the County Sanitation Engineer's office, shall be placed on every house service where the line crosses the property line.~~

~~Sec. 24-18. Backfilling generally.~~

~~Backfill over house service sewers and lateral and main sewer connections shall be placed and thoroughly compacted under and on each side of the pipe to a depth of not less than twelve inches over the top of the pipe by means of a tamper having a cross-sectional area of tamping foot not to exceed twelve square inches. The remainder of the trench shall be filled to the elevation of the surface of the adjacent ground after compaction, except where pavement replacement is necessary, in which case backfills shall be brought to within eight inches of existing pavement surface after compaction. Where water is available for the purpose, the filling may be compacted by flooding, by jetting, or by such other means as may be approved by the engineer; except, that where pavement is to be laid over it, backfill above the first compacted layer above the pipe shall be placed in horizontal layers of not to exceed six inches, moistened to the satisfaction of the inspector, and compacted with an approved hand or mechanical tamper while being placed.~~

~~Backfill on house service sewers and saddles shall be placed on the same day during which the trench is cut, when, in the judgment of the inspector, such placing and compacting will not damage the installation. The inspector may allow trenches to remain open for a period in excess of forty-eight hours when in his judgment good cause exists therefor. Written permission of the inspector shall be obtained for allowing a trench to remain open beyond forty-eight hours.~~

~~Backfill on lateral and main sewer lines shall be placed as soon as practicable after the laying of the pipe. Where such excavations occur in a traveled road, traffic shall be allowed to pass through the work at all times with a minimum of inconvenience. The inspector shall be the sole judge as to the amount of trench which shall remain open at the end of a day's work.~~

~~In lieu of the requirements set forth herein regarding the compacting of backfill beneath pavement, the filling of the trench, above the first compacted layer above the pipe, with crusher run gravel, moistened as directed by the inspector, shall be considered as equivalent to tamping the previously removed earth in six inch lifts.~~

~~Sec. 24-19. Restoration of pavement generally.~~⁴

~~Where any existing pavement or surfacing of any street must be cut for the constructing of any house service sewer or lateral or main sewer, such pavement shall be replaced with six inches of crusher run base rock or natural shale rock from a source approved by the engineer graded and moistened to the satisfaction of the inspector, and thoroughly compacted into place. Two inches of plant mix surfacing shall be placed over the road rock. The finished replacement shall be firmly rolled and the plant mix surfacing feathered to join with the existing surface as nearly as possible. No oil mix shall be permitted.~~

~~Sec. 24-20. Pipe standards.~~

~~Vitrified sewer pipes, concrete sewer pipes and asbestos pipes used in sewer work shall comply with and meet the following standards:~~

- ~~(a) — *Vitrified pipe.* Vitrified pipe and fitting shall conform to the requirements of the American Society for Testing Materials (A.S.T.M.) specifications for clay sewer pipe, designation C 13-40, with the exception that pipe of longer length will be permitted and unglazed pipe and fittings may be used. Pipe and fittings for house service sewer construction shall have an internal diameter of not less than four inches.~~
- ~~(b) — *Concrete pipe.* Concrete pipe and fittings shall conform to the requirements of the American Society of Testing Materials (A.S.T.M.) specification C 14-41 or A.S.T.M. specification C 75-41 for nonreinforced concrete pipe. Pipe shall be constructed of type five cement.~~
- ~~(c) — *Asbestos cement pipe (Transite).* Asbestos cement pipe (Transite) may be used and installed according to manufacturer's instructions.~~

~~Sec. 24-21. Mortar and other joint compound standards.~~

~~Sand and cement for mortar, and other types of joint compounds used in sewer construction, shall comply and meet the following standards:~~

- ~~(a) — Sand for mortar shall be natural sand composed of hard, durable, uncoated grains of rock free from oil or other deleterious materials.~~
- ~~(b) — Cement for mortar shall be Portland cement conforming to A.S.T.M. specifications, designation C 150-4w.~~
- ~~(c) — Mortar for pipe joints shall be composed of one part Portland cement and two parts of sand. The mortar shall be well mixed and sufficiently moistened to hold together while being placed and not otherwise.~~
- ~~(d) — Bitumastic joint compound shall be similar to C. P. 1-2, or equal. The material used shall be subject to the approval of the engineer, shall adhere tightly to cold pipe surfaces, and shall have sufficient elasticity to permit slight movement of the pipe at the joint without injury to the joint.~~
- ~~(e) — Patented joints shall be subject to the approval of the engineer.~~
- ~~(f) — Any other joint compounds proposed for use shall be subject to the approval of the engineer. Primers shall be used with joint compounds as recommended by the manufacturer.~~

⁴As to highways, roads and bridges generally, see ch. 15 of this code.

~~Sec. 24-22. Sewer line appurtenances generally.~~

~~Appurtenances to sewer lines, including manholes, cleanouts, temporary plugs and other related details shall be constructed in accordance with a drawing now on file in the county sanitation engineer's office and titled "Sanitary Sewer Construction Standard Details." Copy of this drawing will be furnished to contractors or others legally empowered to construct sanitary sewers, at the time a permit is issued for such construction.~~

~~Cleanouts will not be required at the property line in house service sewers. Cleanouts will be required in accordance with the Uniform Plumbing Code, except that cleanouts need not be raised to grade.~~

~~Sec. 24-23. Depth and slope of house service sewer temporary plugs.~~

~~Unless the conformation of the ground prevents it, house service sewer shall have a depth at the street line of not less than three feet between the top of the pipe and the ground surface, and shall have a uniform slope toward the lateral sewer of not less than one fourth inch vertical to one foot horizontal.~~

~~Temporary plugs shall be installed at the main or lateral sewer connection or at such other location as may be necessary when connection is not immediately made to house plumbing. The plugs shall be of vitrified clay or of such other materials as may be approved by the engineer, and shall be firmly set in place to provide a watertight joint.~~

~~Sec. 24-24. Connection of roof leaders, surface drainage, septic tanks, etc., to sewers.~~⁵

~~No leaders from roofs or surface drains shall be connected to any house service sewer. No surface or subsurface drainage or storm water shall be permitted to enter any sewer by any device or method whatever; also, no septic tanks or cesspools or the drains therefrom shall be connected to any house service sewer or lateral sewer.~~

~~Sec. 24-25. Direct connections to manholes.~~

~~Direct connections to lateral or main sewer manholes shall be made only with special written permission of the County Sanitation Engineer.~~

~~Sec. 24-26. Connection of swimming pools to sewers.~~⁶

~~Connections of swimming pools to sewers shall be made only by special permission and at the direction of the County Sanitation Engineer, and such connections, if permitted, shall be made in a manner to be specified by such engineer. Failure to abide by the terms specified in such permit shall constitute a misdemeanor under the terms of this article.~~

~~Sec. 24-27. Discharging industrial waste, garbage, etc., into sewers.~~⁷

~~No person shall discharge any industrial waste or any garbage, excepting shredded garbage, or any solids, semi-solid or liquid substances resulting from any garbage, service station or automobile wash rack into any main or lateral sewer without first having obtained a permit to do so from the county sanitation engineer.~~

⁵As to building regulations generally, see ch. 7 of this Code.

⁶As to swimming pools generally, see § 7-14 of this code.

⁷As to refuse generally, see Ch. 22 of this code.

Permits to discharge any of such substances will be granted in accordance with, or in consideration of the special conditions of each case and shall be subject to reasonable rules, regulations and requirements to prevent excessive alkalinity or acidity of the effluent or excessive discharge of organic liquid, semi-liquid or solid.

~~Sec. 24-28. Letter of acceptance of sewer construction.~~

The county sanitation engineer shall issue a letter of acceptance to the engineer of work for said lateral and/or main sewer construction after the county sanitation engineer has ascertained from inspection thereof that said lateral and/or main sewers were constructed according to the plans and specifications theretofore approved by him.

Immediately upon and after acceptance of the work by the district, a one (1) year guarantee period on all work shall be in effect. The guarantee shall provide that all materials and workmanship are in accordance with county ordinances and standards, and that none of the conditions listed under subsections (a), (b), (c), (e), (f) or (h) of Section 24-14.2 develop during the one (1) year period after the original television inspection by the county. During the one (1) year guarantee period, the county may perform an internal closed circuit television inspection on any portion of the sewer installed under the particular job.

Any such conditions which are discovered within one (1) year after acceptance of the work by the county shall be corrected and/or replaced by the permittee at no expense to the county. Such guarantee period may be extended upon disclosure of a defect until one (1) year after correction of the defect.

~~Sec. 24-29. Appeals of decisions of sanitation engineer.~~

Should any applicant be dissatisfied with the action of the county sanitation engineer in not granting a permit under the provisions of this article, then such applicant may make written objection to the board of supervisors setting up the grounds of dissatisfaction. Upon receipt of such objection, the board of supervisors shall set the matter for hearing at its next regular meeting giving written notice thereof to the applicant. Upon such hearing the board of supervisors may sustain, suspend or overrule the decision of the county sanitation engineer and its decision shall be final and conclusive. Pending the hearing before the board of supervisors, the decision of the county sanitation engineer shall remain in full force and effect and any reversal thereof by the board of supervisors shall not be retroactive but shall take effect as of the date of the board of supervisors' decision.

~~Sec. 24-30. Applicability of article.~~

This article shall apply to, and the county sanitation engineer is hereby authorized and empowered to make inspections and enforce the provisions of this article within all the unincorporated territory of the county, including all the territory within the boundaries of all county sanitation districts, sanitary districts and sewer maintenance districts, or other districts empowered by law to construct, maintain or contract for sewerage facilities now in existence or hereafter to be formed within the county excepting those portions of such districts which may lie within incorporated areas.

~~Sec. 24-31. Waiver of minimum distance.~~

Notwithstanding any provision of this code or the ~~California Uniform~~ Plumbing Code, the director of permit and resource management department may waive a requirement that ~~sewer lines~~ Building Sewer may not be installed less than twenty-five feet (25') from an existing water well when he or she determines that installation of a sewer will significantly lessen the existing risk of contamination of wells and will have no adverse environmental effect. The determination shall be based upon all relevant factors, including, but not limited to: location of the sewer pipe and likelihood of accidental rupture; impervious construction of the pipe; soil type; number of wells affected; location of pipe joints in relation to wells and type of pipe joints. This section shall not be interpreted to permit installation of sewer lines less than ten feet (10') from an existing well, nor shall it be deemed to permit installation of a water well closer than the distances otherwise required from an existing sewer pipe. Nothing in

this section shall be construed as providing the director the authority to waive requirements, if any, of a Sanitary Agency With Jurisdiction, or to waive the requirements, if any, imposed by the Health Officer.

Article II. Private Sewage Disposal.

Sec. 24-31.5. Standards for on-site waste water disposal systems.

- (a) The director of the permit and resource management department may from time to time adopt and promulgate standards for on-site septic disposal systems. After July 1, 2023, amendments to these standards shall become effective after the Board of Supervisors approves the amendments via resolution. Every proposed standard, proposed revised standard, or standard proposed to be rescinded shall be posted in the office of the Sonoma county clerk and in a public area of the permit and resource management department's offices for at least fifteen (15) days, together with a notice that the public may submit written comments for the director's consideration not later than the thirtieth day following posting of notice. The director of permit and resource management department shall consider comments submitted and may withdraw, adopt or rescind the standard or revised standard as proposed or as revised following the comment period. Adoption or rescission shall take place not less than fifteen (15) nor more than one hundred eighty (180) days following the close of the comment period, and each standard or revised standard adopted or rescinded shall be effective upon such posting. Such standards shall be periodically compiled and a copy thereof made available to the public at cost. Copies of such standards shall be available for review free of charge at the permit and resource management department. This section shall not be construed to impose any new or additional notice requirements for standards adopted by the director of permit and resource management department by any other procedure prior to the effective date of the ordinance codified in this section.
- (b) The permit and resource management department director shall issue on-site septic disposal system permits pursuant to chapter 7, section 7-5, for systems that meet the standards adopted pursuant to this section.
- (c) Sea Ranch: OWTS in the area governed by Ordinance 3904 (enacted by County Service Area 41, Sea Ranch Zone 2, former County Service Area 6, Zone 2) are subject to the standards adopted pursuant to this section. The rights and duties of the Health Department in Ordinance 3904 shall instead be the rights and duties of the Permit and Resource Management Department. County permitting fees for OWTS shall apply in County Service Area 41, Sea Ranch Zone 2, but charges for operational permits issued pursuant to section 24-33 shall be governed by Ordinance 3905 (enacted by County Service Area 41, Sea Ranch Zone 2, former County Service Area 6, Zone 2). Notwithstanding anything to the contrary in Ordinance 3904 (enacted by County Service Area 41, Sea Ranch Zone 2, former County Service Area 6, Zone 2) the enforcement provisions of this chapter are applicable in the area governed by Ordinance 3904.

Article II. Private Sewage Disposal.

Sec. 24-32. Nonstandard on-site wastewater disposal systems—Definitions.

For purposes of this article, the following definitions shall apply:

- (a) "OWTS" means individual dispersal systems, community collection and dispersal systems, and alternative collection and dispersal systems that use subsurfacedispersal. The short form of the term may be singular or plural. OWTS do not include "graywater" systems pursuant to the Health and Safety Code Section 17922.12. Commonly referred to as septic system(s). "Standard system" means a method

~~of on-site sewage disposal which includes a septic tank (with or without a sump and pump) by which method subsurface effluent is disposed of through leach lines which are constructed in accordance with Uniform Plumbing Code Section 1-6.~~

(b) "Supplemental treatment" means any OWTS or component of an OWTS, except a septic tank or dosing tank, that performs additional wastewater treatment so that the effluent meets a predetermined performance requirement prior to discharge of effluent into the dispersal field. ~~(b) "Nonstandard system" means any method of on-site sewage disposal which does not use a septic tank or does not use standard leach lines for effluent disposal.~~

(c) "Use" or "utilization" includes connecting or allowing a system to remain connected to a dwelling or other structure containing plumbing fixtures.

(d) "Operational permit" means a permit issued for the operation of an OWTS, where required by section 24-33. The operational permit shall be a separate permit from the OWTS permit required by section 24-31.5.

Sec. 24-33. Operational permit required.

- (a) No person, firm, corporation or other entity shall use, or cause or allow the use of, any ~~nonstandard system or a standard system for which monitoring is required as a condition of a permit or other grant of approval (hereinafter referred to as monitored system)~~ System Requiring Supplemental Treatment within the unincorporated area of Sonoma County OTWS utilizing supplemental treatment unless a valid operational permit is in effect for such use. Use of an OTWS utilizing supplemental treatment ~~nonstandard system~~ without a valid operational permit or with a revoked operational permit is a public nuisance per se.
- (b) The board of supervisors shall establish a fee or schedule of fees for operational permits, to be collected by the director of permit and resource management department. ~~Where the system is of such design that inspection is not required by the health officer or by the regional water quality control board, the fee may be waived by the director of permit and resource management department.~~
- (c) Upon payment of all fees and submission of an application which demonstrates to the director of permit and resource management department's satisfaction that the system meets the standards adopted pursuant to this chapter and will not significantly have an ~~adverse effect~~ on ground or surface waters, or upon the public health, and will not risk an ~~significant effect~~ upon the environment, an operational permit may ~~shall~~ be issued. Based on the compliance history for the OWTS and the operational permit, the permit resources management department director may require inspections every one (1), two (2), or three (3) years. ~~for a period of one (1), two (2) or three (3) years. The director of permit and resource management department or his/her duly authorized representative shall determine the length of time an operational permit may be valid for each individual sewage disposal system in accordance with departmental guidelines. The same standard shall govern both initial issuance of a permit and annual renewal. The director of permit and resource management department shall issue regulations governing application of the above criteria to OTWS utilizing supplemental treatment nonstandard systems. The term "adverse effect" shall be defined by the director of permit and resource management department, but shall include cumulative effects.~~
- (d) The director of permit and resource management department or his duly authorized representatives shall be granted a right to come on to the property of grantor and to bring associates and employees of the regional water quality control board to inspect and to monitor the OTWS utilizing supplemental treatment ~~standard or nonstandard on-site wastewater system~~ when needed. The right of access to the property to inspect and to monitor the OTWS utilizing supplemental treatment ~~standard or nonstandard system~~ shall be conveyed to the county of Sonoma in the form of a recorded easement. The director of permit and resource management department or his duly authorized representative may release the easement upon determination that connection to public sewer is made or when determined the easement is no longer required ~~as per Streets and Highways Code Sections 8300 et seq.~~

Sec. 24-34. Revocation.

- (a) Any OWTS permit or operational permit issued pursuant to this article may be revoked by the director of the permit resources management department based upon findings that the system is in violation of this chapter, after providing 14 days prior notice to the permittee, which shall be served by certified mail or in person at the latest place of residence or of business reported by the permittee. Prior to the end of the 14 day notice period, the permittee must request a hearing if the permittee contests revocation. The permittee's hearing request must state in full all objections to revocation, and all objections not stated are waived. If a permittee requests a hearing, the director's decision whether to revoke shall be based on the evidence presented at the hearing. If the director of permit and resource management department determines that an OTWS utilizing supplemental treatment nonstandard system or monitored system for which a permit has been granted may have an adverse effect upon the ground or surface waters, or upon the public health, or may have a significant effect upon the environment, the permit shall be subject to a revocation fact-finding hearing. Notice of the time and place of the revocation fact-finding hearing shall be mailed to the permittee (i.e., the permit holder of record) setting forth the perceived public health hazard/environmental problem, possible causes, and possible county action in the absence of rectifying the health hazard/environmental problem. The hearing shall be conducted no later than two (2) weeks after the mailing of a notice of possible revocation of operational permit for an OTWS utilizing supplemental treatment nonstandard/monitored wastewater disposal system. The notice shall provide the permittee an opportunity to attend a fact-finding hearing and indicate that failure to attend the hearing may be presumed to be an admission that the conditions believed to exist are true and correct as stated. The hearing shall be held no later than thirty (30) days from the date the notice is mailed. The permittee may request that the hearing be held at an earlier time than scheduled, as may be reasonable and convenient to the public director of permit and resource management department or his representative. Upon the dispatch of written findings that the OTWS utilizing supplemental treatment nonstandard or monitored system poses a threat to public health and/or safety, and notice of revocation, the continued use of said system shall be unlawful and subject to abatement.
- (b) If a non-compliant OWTS utilizing supplemental treatment is a risk to public health or the environment, or has been non-compliant with the requirements of this chapter for more than one year, then the county may revoke any permit for a structure or use that utilizes or depends upon the non-compliant OWTS, utilizing the revocation procedure for the structure or use. Upon a reasonable suspicion by the director of permit and resource management department that the conditions in or around an OTWS utilizing supplemental treatment nonstandard or monitored wastewater disposal system may pose a serious and imminent threat to public health and safety, a temporary suspension of the operational permit may be ordered. Such summary revocation shall be followed within three (3) days by written notice of the action mailed to the permittee, setting a time for a written response within ten (10) days of the date of mailing. This temporary suspension is in addition to the procedures set forth in subsection (a) and shall only be in effect until such time as the fact-finding hearing described above in subsection (a) is scheduled. At that time, the director of permit and resource management department shall determine whether there is good cause to revoke the operational permit. Failure to permit further inquiry into the condition of the OTWS utilizing supplemental treatment nonstandard or monitored system, including access to the system site, shall be sufficient good cause to permit revocation of the operational permit.
- (c) A revoked OWTS permit or operational permit may be reinstated if the director of permit and resource management department determines that the violation has been cured, or a remedial plan to address the violation has been approved a plan has been established for adequate repair, alteration and/or maintenance of the system, and all costs of enforcement, including attorney fees, violation-reinspection fees, and any of the costs described in Section 24-35 have been paid.

Sec. 24-34.1. Related Permits.

The county may refuse to issue any discretionary or ministerial permit, license, variance, or other entitlement, which is sought pursuant to this code, including but not limited to zoning clearance for a building permit, where the property upon which the permit, license, variance, or other entitlement is proposed is in violation of this chapter.

Sec. 24-35. Abatement and Enforcement.

Administrative abatement to remedy violations of this article shall be conducted pursuant to chapter 1 of this code. In any action, judicial or administrative, to enforce any provision of this code relating to on-site sewage disposal, the county may recover all of its costs of enforcement, including, but not limited to, any administrative overhead, salaries, and expenses incurred by the following departments: ~~public health, planning~~ Department of Health Services, Permit Resources Management Department, County Counsel, ~~district attorney, building and/or public works~~ and/or District Attorney. All such costs, if unpaid, may shall be enforced via a lien upon the property upon which the system is located. The director may issue a Notice to Vacate pursuant to section 1-7.3(b) for violation of this article with or without an abatement order pursuant to section 1-7.3(a).

Sec. 24-36. Provisions cumulative.

The provisions of this article are in addition to any other requirement for a permit for construction, alteration, or repair of a septic system.

Sec. 24-37. IAPMO listing and UPC certification mark required.

- (a) No person, firm, corporation, or other entity shall sell for use in Sonoma County, install, or cause or allow such sale or installation of any septic tank that does not meet or exceed current International Association of Plumbing and Mechanical Officials (IAPMO) material and property standards. ~~(or container amenable for use as a septic tank but used as a sump, water tank or other water-tight receptacle) in Sonoma County after July 1st, 1989, that is not listed with the International Association of Plumbing and Mechanical Officials (hereinafter "IAPMO") as meeting the PS-1 design standard (or its successor) for septic tanks. Each septic tank sold for use in or installed in Sonoma County after July 1st, 1989 must bear the Uniform Plumbing Code certification mark which is provided by IAPMO to septic tank manufacturers in good standing. If an IAPMO listing is revoked, septic tanks of the revoked design manufactured on or subsequent to the revocation date shall not be sold for use in or installed in Sonoma County until the IAPMO listing for the revoked design is reinstated. A UPC certification mark upon a septic tank will be regarded as conferring IAPMO approval of the design if the IAPMO listing was revoked after the septic tank's manufacture. Such tanks shall be presumed to meet the PS-1 design standard (or its successor).~~
- (b) For purposes of this ~~and succeeding sections~~ article, a septic tank is a water-tight receptacle which receives the discharge of a drainage system or part thereof, designed and constructed so as to retain solids, digest organic matter through a period of detention and allow the liquids to discharge into the soil outside of the tank through a system of open joint piping or a seepage pit meeting the applicable requirements of the Uniform California Plumbing Code.

Sec. 24-38. Prohibited activities directly above a septic tank site.

No person, firm, corporation or other entity shall use or cause or allow the use of property above any septic tank (or container amenable for use as a septic tank but used as a sump, water tank or other water-tight underground receptacle) to support the weight of any object, including, but not limited to, motor vehicles, trailers, boats, improvements upon the property, construction materials, construction equipment, or any combination thereof, with a gross weight exceeding one thousand (1,000) pounds. Temporary weight loads in excess of what is

permitted herein may be authorized by the Sonoma County permit and resource management department to the extent that adequate mitigating measures distributing the weight load upon the septic tank may be feasible and given prior approval by said agency.

Article III. Cleaning Septic Tanks, etc.

Sec. 24-42. Purpose.

The purpose of this Article is to implement the requirements of Division 104, Part 13, Chapter 4, Article 1 of the California Health and Safety Code, and this Article shall be enforced by the Health Officer or Health Officer's designee.

Sec. 24-43. Permit required.

No person shall engage in the business of cleaning cesspools, septic tanks, privies, and vaults and the removal of the contents thereof within the unincorporated areas of the county without first having obtained from the health department of the county a permit to do so as herein provided by this article.

The term "engaging in the business of cleaning cesspools, septic tanks, privies, and vaults and the removal of the contents thereof" as used in this article shall include but ~~is not~~ be limited to any person who goes about from place to place with apparatus or equipment designed for cleaning cesspools, septic tanks, privies, composting toilets, and vaults, or who shall have an established place of business for such purpose and who shall make a charge for such services.

Sec. 24-44. Same—Application.

All persons who desire to engage in the business of cleaning cesspools, septic tanks, privies, and vaults and the removal of the contents thereof within ~~the unincorporated areas of~~ the county ~~shall file with will make and file with~~ the health department of the county a written application for a permit to do so. The Health Officer, or designee, must act on the application within 30 days.

Sec. 24-45. Same—Investigation—Issuance—Fee—Bond generally.

~~It shall be the duty of the~~ The health department of the county shall, upon receiving an application for a permit as provided for by Section 24-43 to investigate ~~the character of the applicant,~~ the kind and type of apparatus and equipment he or she intends to use in cleaning cesspools, septic tanks, privies, and vaults, the method of cleaning cesspools, septic tanks, privies, and vaults and the place or places to which the contents of any cesspool, septic tank, privy, or vault may be removed. If the health department is satisfied from such investigation, it shall issue a permit to the applicant upon the payment of a fee as established by resolution of the board of supervisors, and the giving of a personal or surety bond in the sum of one thousand dollars (\$1,000.00) conditioned for the faithful performance of all duties enjoined by this article or the health department of the county. Permits issued pursuant to this article are not transferable.

Sec. 24-46. Same—Term; renewal.

Any permit issued pursuant to this article shall be valid for a period of one year from the date of issuance unless thereafter revoked by order of the health department of the county as specified by this article, and any permit issued pursuant to this article may be renewed from year to year upon the filing of a written application, the payment of the fee and the giving of the faithful performance bond as provided for in section 24-45.

Sec. 24-47. Same—Permittees subject to rules and orders of health department; grounds for revocation.

Every person who obtains a permit as provided for in this article shall be subject to the rules and orders of the health department of the county in the following matters:

- (a) The manner of cleaning any cesspool, septic tank, privy, ~~or vault,~~ or composting toilet.
- (b) The removal of the contents thereof and the place to which such contents are moved.

If any person shall refuse to obey and carry out the rules and orders of the health department in the manner herein specified, such refusal to obey and carry out such orders and rules shall be grounds for the revocation of the permit referred to and provided for in this article. Any revocation shall be made with 10 (ten) days notice, and such notice shall be served by registered mail or in person at the latest place of residence or of business reported by the permittee.

Sec. 24-48. Action on bond upon violation of article, etc.

In the event that the holder of a permit issued pursuant to the provisions of this article violates any of the provisions of this article or any rules or orders of the health department of the county, such violation shall permit the county at its option to resort to the faithful performance bond for the payment of a penalty in the sum of one thousand dollars.

Article IV. Discharge Regulations.

~~Sec. 24-49. General provisions.~~

- ~~(a) Purpose and policy. These wastewater discharge regulations set uniform requirements for discharges into the wastewater collection and treatment system and enable the agency to comply with the administrative provisions of the clean water grant regulations, the water quality requirements set by the regional water quality control board and the applicable effluent standards, and any other discharge criteria which are required or authorized by state or federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into those systems.~~
- ~~(b) Definitions. Unless otherwise defined herein, terms shall be as adopted in the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation. Waste constituents and characteristics shall be measured by standard methods unless expressly stated, or as established by federal or state regulatory agencies.~~
 - ~~(1) Agency. Any special district, municipality or other type of utility district which is authorized by state statutes to provide sanitary services, such as public utility district, community services district, sanitary district, county service area, county sanitation district, county water district, municipal utility district, sewer maintenance district, or city in which the governing board has adopted this section of the Sonoma County Code in whole or in part "by reference."~~
 - ~~(2) Beneficial uses. Uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible as specified by federal or state law.~~
 - ~~(3) Board. The governing board of any agency adopting this ordinance in whole or in part, by reference, i.e. directors of county sanitation district, board of public utility districts, etc.~~

- ~~(4) BOD. Biochemical oxygen demand as determined in accordance with standard analytical procedures and, unless otherwise noted, exerted in a period of five (5) days at twenty (20) degrees Celsius.~~
- ~~(5) Builder. Shall mean any individual or group of individuals who finance the construction of agency sewage collection facilities.~~
- ~~(6) Cesspool. A lined and covered excavation in the ground which receives the discharge of domestic sewage or wastes from a drainage system, so designed as to retain the organic matter and solids, but permitting the liquids to seep through the bottom and sides.~~
- ~~(7) City. Any incorporated municipality within the County of Sonoma.~~
- ~~(8) COD. Chemical oxygen demand as determined in accordance with standard analytical procedures.~~
- ~~(9) Community sewer or collection system. A sewer owned and operated by the agency a city or other public agency tributary to a treatment facility. It shall include, but not be limited to, pumping stations, siphons, creek crossings, manholes, and sewers leading from the property line to the collection system.~~
- ~~(10) Compatible pollutant. Biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the agency's national pollutant discharge elimination system (NPDES) permit if the publicly owned treatment works was designed to treat such pollutants and in fact does remove such pollutants to a substantial degree.~~
- ~~(11) Contamination. An impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater whether or not waters of the state are affected.~~
- ~~(12) County. County of Sonoma.~~
- ~~(13) County Sanitation Engineer. The duly authorized sanitation engineer as appointed by the Board of Supervisors of the County of Sonoma.~~
- ~~(14) Critical user. A user who is required to obtain a permit, as defined in section 52(b) of this ordinance.~~
- ~~(15) Day. Any day, except Saturdays, Sundays and legal holidays.~~
- ~~(16) Dissolved solids. Residue upon evaporation of water after filtration in accordance with standard analytical procedures. Also termed total dissolved solids or TDS.~~
- ~~(17) Domestic sewage. Shall mean the waterborne wastes derived from the ordinary living processes and of such character as to permit satisfactory disposal without special treatment into the public sewer.~~
- ~~(18) Drain. Any conduit for the conveyance of storm water or surface or subsurface ground drainage water.~~
- ~~(19) Federal act. The federal water pollution control act, PL 92-400, and any amendments thereto; as well as any guidelines, limitations and standards promulgated by the environmental protection agency pursuant to the act.~~
- ~~(20) Holding tank waste. Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks and vacuum pump tank trunks.~~
- ~~(21) Incompatible pollutant. Any pollutant which is not a compatible pollutant as defined in this section. The pretreatment standard for compatible pollutants introduced into a publicly owned treatment works by a major contributing industry not subject to section 307(c) of the federal act shall be, for sources within the corresponding industrial or commercial category that established by a promulgated effluent limitations guideline defining best practicable control technology currently available pursuant to sections 301(b) and 304(b) of the federal act, provided that, if the publicly owned treatment works which receives the pollutants is committed, in its NPDES permit, to remove a specified percentage of any incompatible pollutant, the pretreatment standard applicable to users of such treatment works shall be correspondingly reduced for that pollutant; and provided further that even when the effluent~~

limitations guideline for each industry category is promulgated, a separate provision will be proposed concerning the application of such guideline to pretreatment.

(22) ~~Industrial cost recovery.~~ The portion of annual capital cost recovery allocable to industry and subject to federal industrial payback.

(23) ~~Industrial user.~~ A user who discharges industrial waste. For purposes of federal industrial cost recovery and payback provisions, any user of a publicly owned treatment works identified in the U.S. "Standard Industrial Classification Manual, 1972," under the following divisions:

Division A—	Agriculture, Forestry and Fishing
Division B—	Mining
Division D—	Manufacturing
Division E—	Transportation, Communications, Electric, Gas and Sanitary Services
Division I—	Services

A user in these divisions may be excluded from the industrial user category if he discharges essentially domestic sewage. See also "User".

(24) ~~Industrial waste.~~ The waterborne waste and wastewater from any production, manufacturing or processing operation of whatever nature including institutional and commercial operations where water is used for the removal of significant quantities of waste other than from human habitation of premises connected to the public sewers. Contents of chemical toilets, septic tanks, waste holding tanks and waste sumps shall be classed as industrial waste.

(25) ~~Infiltration.~~ Water entering the sewerage system through the ground.

(26) ~~Inflow.~~ Water entering a sewerage system from surface drainage and clean cooling water systems.

(27) ~~Manager.~~ The manager of the agency or his designated representative or the engineer for any agency in which the governing board's policies are administered by the engineer.

(28) ~~MGD.~~ Abbreviation for millions gallons per day.

(29) ~~Mass emission rate.~~ The weight of material discharged to the sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.

(30) ~~Natural outlet.~~ Any outlet into a watercourse, ditch, pond, lake or other body or surface or groundwater.

(31) ~~Nuisance.~~ Anything which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

(32) ~~Permit.~~ Wastewater discharge permit.

(33) ~~Person.~~ Any individual, partnership, firm, association, corporation, or public agency including the State of California and the United States of America.

(34) ~~pH.~~ The logarithm of the reciprocal of the hydrogen ion activity in moles per liter of solution as measured by standard analytical procedures.

(35) ~~Pollution.~~ An alteration of the quality of the Waters of the state by waste to a degree which unreasonably affects such waters for beneficial use or facilities which serve such beneficial uses. Pollution may include contamination.

- (36) ~~Premises. A parcel of real estate including any improvements thereon which is determined by the agency to be a single user for purposes of receiving, using and paying for service.~~
- (37) ~~Pretreatment. The treatment or flow limitation of industrial wastes prior to discharge to the agency sewerage system.~~
- (38) ~~Private sewer, building sewer, side sewer or house service sewer. That part of the building sewer beginning at the junction thereof with the building plumbing or drainage system and terminating at the property line.~~
- (39) ~~Public agency. The United States Government or any department or agency thereof; the State of California or any department or agency thereof; any school district; any other governmental or public district or entity; or any other legal public district, entity or entities; or any combination of the foregoing.~~
- (40) ~~Sanitary sewerage system or sewerage system. All works for collecting, pumping, treating, disposing, storing and reclaiming sewage.~~
- (41) ~~Sanitation engineer and engineer. Shall mean the responsible registered civil engineer employed by or contracted by the governing board to design, administer and inspect agency construction and wastewater disposal facilities.~~
- (42) ~~Septic tank system. An arrangement of tanks which receive waste and by septic bacterial action, effect decomposition and settlement of settlable solids and diversion of the septic liquid for clarification and disposal.~~
- (43) ~~Sewage. The waterborne wastes received from human habitation and use of premises for residential, business, institutional, and industrial purposes.~~
- (44) ~~Sewer or sanitary sewer. A pipe or conduit which carries sewage and/or industrial wastes and to which storm, surface, and groundwaters are not intentionally admitted. Unless otherwise qualified, the word "sewer" when used in this ordinance shall be taken to mean "sanitary sewer". An agency sewer or public sewer is any sewer located within an easement or public right of way and which is maintained by the agency.~~
- (45) ~~Slug. Any discharge of water, sewage, or industrial waste which in concentration of any given constituent or in quantity of flow exceeds, for any period of duration longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration or flow rate during normal operation.~~
- (46) ~~Street. Any public highway, road, street, avenue, alley, way, easement or right of way.~~
- (47) ~~Suspended solids (SS). Particulate matter present in sewage and retained on a filter (nonfilterable) in a standard analytical procedure.~~
- (48) ~~Treatment Plant. Shall mean the sewage treatment facilities of the agency or any other agency.~~
- (49) ~~Unpolluted water. Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the agency having jurisdiction thereof for disposal to storm or natural drainages or directly to surface waters.~~
- (50) ~~User. Any person that discharges, causes or permits the discharge of wastewater into a community sewer.~~
- (51) ~~User classification. A classification of user based on the 1972 edition of the Standard Industrial Classification (SIC) Manual prepared by the executive office at management and budget.~~
- (52) ~~User charge. A payment paid by the user to the agency at a prescribed interval for sanitary sewerage system service.~~

- ~~(53) Waste. Includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature prior to, and for purposes of, disposal.~~
- ~~(54) Wastewater. Waste and water whether treated or untreated, discharged into or permitted to enter a community sewer.~~
- ~~(55) Wastewater discharge permit. A license for a user to discharge wastewater into a sanitary sewerage system.~~
- ~~(56) Wastewater constituents and characteristics. The individual chemical, physical, bacteriological and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality quantity and strength of wastewater.~~
- ~~(57) Waters of the state. Any water surface or underground, including saline waters within the boundaries of the State.~~

~~(Ord. No. 1917 § 1.)~~

Sec. 24-49. Applicability and definitions.

~~The provisions of this article may be utilized to enforce articles 3 or article 4 of this chapter.~~

~~As utilized in this article, "department" means the permit resources management department or the department of health services, "director" means the director of the permit resources management department or the director of environmental health, and "Hearing Officer" means an individual appointed by the county pursuant to sections 2-33.1 through 2-33.5 to preside over an administrative hearing.~~

Sec. 24-50. Regulations.

- (a) Prohibitions on discharges. No person ~~within the unincorporated area of the county~~ shall ~~discharge or discharge~~cause a discharge, directly or indirectly, to a community sewer, a storm drain, a ~~or~~ natural outlet, or surface waters, ~~wastes~~ which causes, threatens to cause, or ~~is~~are capable of causing either alone or by interaction with other substances:
- ~~(1) a fire or explosion;~~
- ~~(2) obstruction of flow in a sewer system or injury of the system or damage to the wastewater collection, treatment or disposal facilities; i.e., any ashes, cinders, sand, mud, grit, straw, offal, shavings, metal, glass, rags, feathers, tar, plastics, wood, sawdust, manure, or other solid or viscous substance capable of causing obstruction or the flow in sewers or other interference with the proper operation of the sewage system in the opinion of the agency;~~
- ~~(3) danger to life or safety of personnel;~~
- ~~(14) a nuisance; or prevention of the effective maintenance or operation of the sewer system, through having a strong, unpleasant odor;~~
- ~~(5) air pollution by the release of toxic or malodorous gases or malodorous gas-producing substances;~~
- ~~(6) interference with the wastewater treatment process;~~
- ~~(7) the agency's effluent or any other product of the treatment process, residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process;~~
- ~~(28) a detrimental environmental impact or a nuisance in the waters of the state, or a threat to public health or safety or a condition unacceptable to any public agency having regulatory jurisdiction over the agency;~~

- ~~(9) —discoloration or any other condition in the quality of the agency's treatment works effluent in such a manner that receiving water quality requirements established by law cannot be met;~~
- ~~(10) —conditions at or near the agency's treatment works which violate any statute or any rule, regulation, or ordinance of any public agency or state or federal regulatory body;~~
- ~~(11) —quantities or rates of flow which overload the agency's collection or treatment facilities or cause excessive agency collection or treatment costs.~~
- ~~(b) —Prohibitions on storm drainage and ground water. Storm water, ground water, rain water, street drainage, subsurface drainage, roof down spouts, exterior foundation drains, or other sources of yard drainage shall not be discharged through direct or indirect connections to a community sewer.~~
- ~~(c) —Prohibition on unpolluted water. Unpolluted water, including, but not limited to, cooling water, process water or blow down from cooling towers or evaporative coolers shall not be discharged through direct or indirect connection to a community sewer unless a permit is issued by the agency. The agency may approve the discharge of such water only when no reasonable alternative method of disposal is available.~~

~~If a permit is granted for the discharge of such water into a community sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the agency's governing board.~~
- ~~(d) —Limitations on radioactive wastes. No person shall discharge or cause to be discharged, any radioactive waste into a community sewer except:~~
 - ~~(1) —when the person is authorized to use radioactive materials by the state department of health or other governmental agency empowered to regulate the use of radioactive materials, and~~
 - ~~(2) —when the waste is discharged in strict conformity with current California radiation control regulations (California Administrative Code, Title 17) and the atomic energy commission regulations and recommendations for safe disposal, and~~
 - ~~(3) —when the person is in compliance with all rules and regulations of all other applicable regulatory agencies.~~
- ~~(e) —Limitations on the use of garbage grinders. Waste from garbage grinders shall not be discharged into a community sewer except:~~
 - ~~(1) —wastes generated in preparation of food normally consumed on the premises, or~~
 - ~~(2) —where the user has obtained a permit for that specific use from the agency and agrees to undertake whatever self-monitoring is required to enable the manager to equitably determine the user charges based on the waste constituents and characteristics.~~

~~Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the community sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse.~~
- ~~(f) —Limitations on point of discharge. No person shall discharge any substances directly into a manhole or other opening in a community sewer other than through an approved house service sewer, unless upon written application by the user and payment of the applicable user charges and fees, the Agency's governing board issues a permit for such direct discharges.~~
- ~~(g) —Holding tank waste. A user proposing to discharge holding tank waste into a community sewer must secure a permit. Unless allowed by the manager, under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. This permit will state the specific location of discharge, the time of day the discharge is to occur the volume of the discharge and the wastewater constituents and characteristics. If a permit is granted for discharge of such waste into a community sewer the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the agency's governing board.~~

- ~~(h) Limitations on wastewater strength. No person shall discharge or cause to be discharged, to an agency sewer any of the following without first obtaining a wastewater discharge permit that specifically permits such industrial waste discharge characteristics.~~
- ~~(1) Discharge during a daily twenty-four hour (24) hour period in excess of fifty thousand (50,000) gallons.~~
 - ~~(2) Volume of flow or concentration of wastes constituting "slugs", as defined herein.~~
 - ~~(3) Discharge which has a daily average concentration of those values as adopted by agency resolution.~~
 - ~~(4) Waters or wastes with a pH lower than 6.0 or higher than 9.5.~~
 - ~~(5) Discharges containing metal pickling or etching wastes or plating solutions, whether neutralized or not, except effluent discharged from an agency approved treatment system.~~
 - ~~(6) Any discharge which has an average daily concentration of:~~
 - ~~(a) Arsenic exceeding 0.2 milligrams per liter.~~
 - ~~(b) Hexavalent chromium exceeding 0.1 milligrams per liter or total chromium exceeding 0.5 milligrams per liter~~
 - ~~(c) Copper exceeding 0.2 milligrams per liter.~~
 - ~~(d) Lead exceeding 0.3 milligrams per liter.~~
 - ~~(e) Nickel exceeding 0.3 milligrams per liter.~~
 - ~~(f) Silver exceeding 0.2 milligrams per liter.~~
 - ~~(g) Zinc exceeding 1.0 milligrams per liter.~~
 - ~~(h) Other toxic substances in concentrations having an acute toxicity to fish exceeding a 96-hour medium tolerance limit of 25% when tested in accordance with standard test procedures.~~
 - ~~(7) Discharges containing phenols or other taste and odor producing substances in concentrations exceeding limits which may be established by the manager as necessary to meet water quality requirements.~~
 - ~~(8) Hot wastes at temperatures exceeding one hundred sixty (160) degrees (seventy (70) degrees Celsius), or exceeding one hundred ten (110) degrees Fahrenheit (forty-three (43) degrees Celsius) for any eight (8) hour period.~~
 - ~~(9) Materials which exert or cause in the sewerage system or receiving waters:~~
 - ~~(a) Unusual concentrations either of inert suspended solids (such as but not limited to, soil solids, Fuller's earth, lime slurries, and lime residues) or of dissolved inorganic solids (such as, but not limited to, sodium chloride and sodium sulphate) in excess of seven hundred fifty (750) milligrams per liter.~~
 - ~~(b) Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).~~
 - ~~(10) Discharges in such quantities or such qualities that they are not amenable to treatment or reduction by wastewater treatment processes employed, or are amenable to treatment only to such a degree that the treatment plant effluent cannot meet water quality requirements.~~
 - ~~(11) Grease, oil and sand interceptors shall be provided by the discharger when, in the opinion of the manager, they are necessary for the proper handling of wastes containing grease in excess of the limits specified in section 50.08-3, or any flammable wastes, sand, grit, and other harmful ingredients. All interceptors shall be of a type and capacity approved in writing, prior to installation, by the manager and shall be located so as to be readily and easily accessible for cleaning and inspection. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily~~

removable covers which when bolted in place shall be gas tight and watertight. Grease and oil interceptors shall be constructed in any place or building having a capacity to serve group meals. Where installed, all grease, oil, sand and grit interceptors shall be maintained by the owner at his expense in continuous efficient operation at all times. Materials collected shall not be reintroduced into the sewage system.

(12) ~~Effluent limitations promulgated by the federal act shall apply in any instance where they are more stringent than those in this ordinance. Under section 307(b) of the act, federal pretreatment standards are designed to achieve two purposes: (1) to protect the operation of publicly owned treatment works (as defined in section 212 of the federal act P.L. 92-500), and (2) to prevent the discharge of pollutants which pass through such works inadequately treated. Users in industrial categories subject to effluent guidelines issued under section 304(b) of the act, which are discharging incompatible pollutants to publicly owned treatment works, are required to adopt best practicable control technology currently available, as defined by the administrator of EPA pursuant to section 304(b) of the act. Where the agency treatment works was designed to and does achieve substantial removal of pollutants, other than the four pollutants listed in the definition for compatible pollutants in section 49(b)(10) (BOD, suspended solids, pH, and fecal coliform bacteria), it is not appropriate to require the industrial user to achieve best practicable control technology currently available, since this would lead to an uneconomical duplication of treatment facilities. While the term "substantial removal" is not subject to precise definition, it generally contemplates removals in the order of 85 percent or greater. Minor incidental removals in the order of 10 to 30 percent are not considered "substantial". For some industrial categories, it may be necessary to define pretreatment guidelines for problems that may arise as a result of the discharge into publicly owned treatment works. However any adjustments required for particular industrial categories should be considered in connection with the agency's requirements rather than in the national pretreatment standard. Limitations on wastewater strength in section 50(h)(1) and 50(h)(2) of this ordinance may be supplemented with more stringent limitations pursuant to section 52(b)(4).~~

(a) ~~If the agency determines that the limitations in sections 50.08-1 may not be sufficient to protect the operation of the agency's treatment works, or~~

(b) ~~If the agency determines that the limitations in sections 50.08-1 may not be sufficient to enable the agency's treatment works to comply with water quality standards or effluent limitations specified in the agency's national pollutant discharge elimination system (NPDES) permit.~~

(13) ~~Seasonal flow. Seasonal flow is defined as an industrial waste discharge during any fifteen (15) day period during which the average volume and/or strength of any regulated wastewater characteristic exceeds the respective daily averages by fifty (50) percent. Seasonal flow dischargers shall be subject to wastewater treatment plant service capacity allocation by the manager. If overloading conditions occur or threaten to occur at the treatment plant or if unused service capacity is insufficient to accommodate all seasonal flows, the manager may allocate available service capacity among all seasonal dischargers. In allocating the flow or constituent load, the manager shall take into account the discharger's nonseasonal flow, wastewater conservation practice, economic and environmental impact, historical data, and any other consideration advanced by the discharger which will help the manager make an equitable allocation.~~

~~(Ord. No. 1917 § 1.)~~

(i) ~~Regional water quality control board requirement limitations. Discharge or industrial waste from any premise within the city onto land or to any natural outlet may be permitted only if the discharge complies with all requirements of the regional water quality control board and of all other local, state and federal laws and regulations.~~

(bj) Other governmental agency jurisdictions. Nothing contained in this section shall be construed to limit any additional requirements that may be imposed by the ~~County~~ Health Officer, by the regional water quality control board, by a Sanitary Agency With Jurisdiction, or by other governmental agencies having jurisdiction ~~thereof~~.

~~Sec. 24-51. Wastewater volume determination.~~

~~(a) — Metered water supply. The total amount of water used from public and private sources shall, at the request of the manager, be determined by means of public meters or private meters, installed and maintained at the expense of the user and approved by the agency.~~

~~(Ord. No. 1917 § 1.)~~

~~(b) — Estimated wastewater volume for users without source meters. For users where, in the opinion of the agency, it is unnecessary or impractical to install meters, the quantity of wastewater shall be based upon an estimate prepared by the engineer. This estimate shall be based upon a rational determination of the wastewater discharged and may consider such factors as the seating capacity, population equivalent, annual production of goods and services, etc.~~

~~If the user is dissatisfied with the manager's estimated wastewater volume, then he may present his objection in writing and the user may install a meter or meters of a type and at a location approved by the manager and at the user's expense. Such meters shall be tested for accuracy at the expense of the user when deemed necessary by the manager~~

~~(Ord. No. 1917 § 1.)~~

~~Sec. 24-52. Administration.~~

~~(a) — Discharge reports. The agency may require that any person discharging or proposing to discharge wastewater into a community sewer file a periodic discharge report. The discharge report may include, but not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, number and classification of employees, or other information which relates to the generation of waste including wastewater constituents and characteristics in the wastewater discharge. Such reports may also include the chemical constituents and quantity of liquid or gaseous materials stored on site, even though they may not normally be discharged. In addition to discharge reports, the agency may require information in the form of wastewater discharge permit applications and self-monitoring reports.~~

~~(b) — Wastewater discharge permits.~~

~~(1) — Mandatory permits. All critical users proposing to connect or to discharge into a community sewer after the effective date of this ordinance must obtain a wastewater discharge permit before connecting to or discharging into a community sewer. All existing critical users connected to or discharging into a community sewer must obtain a wastewater discharge permit within 90 days after the effective date of this ordinance. For purposes of this ordinance, a critical user is defined as any user whose user classification is identified in the Standard Industrial Classifications (SIC) Manual in any of divisions A, B, D, E, and I, and who (1) has a discharge flow of fifty thousand (50,000) gallons or more per average work day, or (2) has a flow greater than five percent (5%) of the flow in the agency's wastewater treatment system, or (3) has in his wastes toxic pollutants in toxic amounts as defined in standards issued under section 307(a) of the federal act, or (4) is found by the agency to have significant impact, either singularly or in combination with other contributing industries, on the treatment or collection system.~~

~~(2) — Optional permits. The manager may issue a wastewater discharge permit to any user in accordance with the terms of this section in the following categories:~~

~~(a) — A user who requires the user charges and fees to be based on an estimation of wastewater flow.~~

~~(b) — Any user whose wastewater strength is less than the normal range for the user classification to which he is assigned because of pretreatment, process changes or other reasons.~~

- ~~(c) — Any single dwelling, office, commercial business, lodge, apartment, church, or multiuse building user who discharges only domestic waste.~~
- ~~(3) — Permit application. Users seeking a wastewater discharge permit shall complete and file with the manager, an application in the form prescribed by the manager and accompanied by the applicable fees. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:~~
 - ~~(a) — Name, address, and SIC number of applicant;~~
 - ~~(b) — Volume of wastewater to be discharged;~~
 - ~~(c) — Wastewater constituents and characteristics including but not limited to those mentioned in sections 50(h) as determined by a laboratory approved by the agency;~~
 - ~~(d) — Time and duration of discharge;~~
 - ~~(e) — Average and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;~~
 - ~~(f) — Site plans, floor plans, mechanical and plumbing plans, water supply information and details to show all sewers and appurtenances by size, location and elevation;~~
 - ~~(g) — Description of activities, facilities and plant process on the premises including all materials, processes and types of materials which are or could be discharged;~~
 - ~~(h) — Each product produced by type, amount and rate of production;~~
 - ~~(i) — Number and type of employees, and hours of work;~~
 - ~~(j) — Any other information as may be deemed by the manager to be necessary to evaluate the permit application. The manager will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the manager may issue a wastewater discharge permit subject to terms and conditions provided herein.~~
- ~~(4) — Permit conditions. Wastewater discharge permits shall be expressly subject to all provisions of this ordinance and all other regulations, user charges, and fees established by the agency. The conditions of wastewater discharge permits shall be uniformly enforced by the manager in accordance with this ordinance, and applicable state and federal regulations. Permits may contain the following:~~
 - ~~(a) — The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;~~
 - ~~(b) — The collection of connection fee, inspection fee and prepayment for the prorated portion of annual user charges, if collected annually either by billing or via the county tax rolls.~~
 - ~~(c) — The average and maximum wastewater constituents and characteristics;~~
 - ~~(d) — Limits on rate and time of discharge or requirements for flow regulations and equalization;~~
 - ~~(e) — Requirements for installation of inspection and sampling facilities;~~
 - ~~(f) — Pretreatment requirements;~~
 - ~~(g) — Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;~~
 - ~~(h) — Requirements for submission of technical reports or discharge reports;~~
 - ~~(i) — Requirements for maintaining plant records relating to wastewater discharge as specified by the agency, and affording agency access thereto;~~

- ~~(j) — Mean and maximum mass emission rates, or other appropriate limits when incompatible pollutants (as defined by section 49(b)(2)) are proposed or present in the user's wastewater discharge.~~
- ~~(k) — Other conditions as deemed appropriate by the agency to insure compliance with this ordinance.~~
- ~~(5) — Duration of permits. Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. If the user is not notified in writing by the agency thirty (30) days prior to the expiration of the permit, the permit shall be extended one additional year. The terms and conditions of the permit may be subject to modification and change by the agency during the life of the permit, as limitations or requirements as identified in section 50(h) are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.~~
- ~~(6) — Transfer of a permit. Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned, transferred or sold to a new owner, new user, different premises, or a new or changed operation.~~
- ~~(7) — Temporary suspension of permit. A permit may be temporarily suspended by the manager at any time if, in his opinion, the continued discharge of the waste or water into the sanitary sewer system would, when combined with other discharges into the sewer system, exceed the agency's allocated capacity service in a subregional or regional sewerage system, substantially jeopardize the ability of the treatment system to meet water quality requirements or would cause an unsafe condition to occur. In lieu of temporary suspension of permits, the manager may impose such temporary restrictions, conditions, or limitations upon the quantities, qualities, and rates of discharge made thereunder as he deems necessary to assure that said receiving water quality requirements will not be violated by the sewage discharged by the agency to a subregional or regional system, or to alleviate the unsafe condition. Notice of the temporary suspension or the imposition of temporary restrictions, conditions, or limitations shall be given in writing by the manager to the permittee at least twenty-four (24) hours prior to their effective date. Delivery of said notice to the permittee's place of business shall constitute delivery of notice to permittee.~~
- ~~(8) — Revocation of permit. Any user who violates the following conditions of the permit or of this ordinance, or applicable state and federal regulations is subject to having his permit revoked:~~
 - ~~(a) — Failure of user to factually report the wastewater constituents and characteristics of his discharge;~~
 - ~~(b) — Failure of the user to report significant changes in operations or wastewater constituents and characteristics;~~
 - ~~(c) — Refusal of reasonable access to the users premises for the purpose of inspection or monitoring;~~
 - ~~or~~
 - ~~(d) — Violation of conditions of the permit.~~
- ~~(c) — Monitoring facilities. The agency may require the user to construct at his own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer or internal drainage systems and may also require sampling or metering equipment to be provided, installed and operated at the user's expense. The monitoring facility should normally be situated on the user's premises, but the agency may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles.~~

If the monitoring facility is inside the user's fence, there shall be accommodations to allow access for agency personnel, such as a gate secured with an agency lock. There shall be ample room in or near such sampling manhole to allow accurate sampling and compositing of samples for analysis. The manhole, sampling and

measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the agency's requirements and all applicable local agency construction standards and specifications. Construction shall be completed within 40 days following written notification by the agency; unless a time extension is otherwise granted by the agency.

(d) — Inspection and sampling. The agency may inspect the facilities of any user to ascertain whether the purpose of this ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the agency or its representatives ready access at all reasonable times to all parts of the premises for the purposes of inspection or sampling or in the performance of any of their duties. The agency shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the agency will be permitted to enter without delay for the purposes of performing their specific responsibilities.

(e) — Protection from accidental discharge. Each user shall provide protection from accidental discharge or prohibited materials or other wastes regulated by this ordinance. Such facilities shall be provided and maintained at the user's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the agency for review, and shall be acceptable to the agency before construction of the facility.

The review of such plans and operating procedures will no way relieve the user from the responsibility of modifying the facility as necessary to provide the protection necessary to meet the requirements of this section.

(f) — Confidential information. All information and data on a user obtained from reports, questionnaires, permit application, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the agency that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available to governmental agencies for use in making studies; provided, however, that such portions of a report shall be available for use by the state or any state agency in a judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information.

Information accepted by the agency as confidential, shall not be transmitted to any governmental agency or to the general public by the agency until and unless prior and adequate notification is given to the user.

(g) — Special agreements. Special agreements and arrangements between the agency and any persons or agencies may be established when in the opinion of the agency's governing board unusual or extraordinary circumstances compel special terms and conditions.

Sec. 24-53. Enforcement.

(a) **Accidental discharges.**

(1) — Notification of discharge. Users shall notify the agency immediately upon accidentally discharging wastes in violation of this ordinance to enable countermeasures to be taken by the agency to minimize damage to the community sewer, treatment facility, treatment processes and the receiving waters.

This notification shall be followed, within ten (10) days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence.

Such notification will not relieve users of liability for any expense, loss or damage to the sewer system, treatment plant, or treatment process, or for any fines imposed on the Agency on account thereof under section 13350 of the California Water Code or for violations of section 5650 of the California Fish and Game Code.

- (2) ~~Notice of employees. In order that employees of users be informed of agency requirements, users shall make available to their employees copies of this ordinance, together with such other wastewater information and notices which may be furnished by the agency from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this ordinance.~~
- (3) ~~Preventive measures. Any direct or indirect connection or entry point for persistent or deleterious wastes to the user's plumbing or drainage system should be eliminated. Where such action is impractical or unreasonable, the user shall appropriately label such entry points to warn against discharge of such wastes in violation of this ordinance.~~
- (b) ~~Issuance of Cease and Desist Orders. When the agency department finds that a discharge of wastewater has taken place, in violation of article 3 or article 4 of prohibitions or limitations of this ordinance chapter, or the provisions of a wastewater discharge permit, the director manager may issue an order to cease and desist, and direct those persons not complying with such prohibitions, limits, requirements, or provisions, to:~~
- (1) Comply forthwith;
 - (2) Comply in accordance with a time schedule set forth by the ~~department~~agency; or
 - (3) Take appropriate remedial or preventive action in the event of a threatened violation.

Violation of an order issued pursuant to this subsection (a) is a violation of this chapter.

- (c) ~~Submission of Time Schedule. When the agency finds that a discharge of wastewater has been taking place, or is threatening to take place, in violation of prohibitions or limitations prescribed in this ordinance, or wastewater source control requirements, effluent limitations or pretreatment standards, or the provisions of a wastewater discharge permit, the agency may require the use to submit for approval, with such modifications as it deems necessary, a detailed time schedule of specific actions which the user shall take in order to prevent or correct a violation of requirements.~~
- (bd) ~~Appeals. Any user, permit applicant, or permit holder person affected by any decision, action, or determination, including cease and desist orders, made by the manager, interpreting or implementing the provisions of this ordinance or in any permit issued herein an action under this section, may file with the manager director a written request for reconsideration within ~~tent~~twenty (1020) days of such decision, action, or determinationaction, setting forth in detail all of the facts and legal contentions that support thesupporting the user's request for reconsideration. Failure to request reconsideration based on an objection waives the objection.~~
- (c) ~~If the ruling made by the managerdecision of the director is unsatisfactory to the person requesting reconsideration, he maythe dissatisfied person may, within twenty (20) days after notification of agency actionthe decision, file a written appeal withto the agency's governing boarddepartment. The written appeal shall be heard by the board within twenty (20) days from the date of filing. The agency's governing board shall make a final ruling on the appeal within ten (10) days of the close of the meeting. The manager's decision, action, or determination shall remain in effect during such period of reconsideration. a Hearing Officer utilizing the procedures in section 1-7.3, subsections (h) and (i). Failure to file an appeal waives any objection to the action. The director's decision shall remain in effect pending the appeal.~~

Sec. 24-54. Abatement.

- (a) Public Nuisance. Discharges of wastewater in any manner that is in violation of ~~this ordinance article 3 or article 4 of this chapter or of any order issued by the manager as authorized by this ordinance,~~ is hereby declared a public nuisance and shall be corrected or abated as directed by the manager a public nuisance. Any person creating a public nuisance under article 3 or article 4 is guilty of a misdemeanor.
- (b) Injunction. Whenever a discharge ~~of wastewater~~ is in violation ~~of the provisions of this ordinance or otherwise causes or threatens to cause a condition of contamination, pollution or nuisance of article 3 or article 4,~~ the agency department may petition the superior court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate, in restraining the continuance of such discharge.
- ~~(c) Damage to Facilities. When a discharge of industrial wastes causes an obstruction, damage, or any other impairment to agency facilities, the agency shall assess a charge against the user for the work required to clean or repair the facility and add such charge to the user's charges and fees.~~
- ~~(cd)~~ Civil Penalties. Any person who violates ~~any provision of this ordinance article 3 or article 4, or permit condition~~ or who discharges wastewater which causes pollution, or who violates any cease and desist order issued under this article, ~~prohibition, effluent limitation, national standard of performance, pretreatment or toxicity standard shall be~~ liable for a civil ~~civilly to a~~ penalty not to exceed six thousand dollars (\$6,000.00) for each day in which such violation occurs. The ~~attorney of the agency, upon order of the agency's governing board, shall~~ county may petition the superior court to impose, assess, and recover any penalty assessed pursuant to this provision ~~such sums.~~
- ~~(de)~~ Falsifying of Information. Any person who knowingly makes any false statements, representation, record, report, plan, or other document filed with the ~~agency department with respect to article 3 or article 4, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance may, shall~~ be punished by ~~assessed~~ a fine of not more than ten thousand dollars (\$10,000.00) ~~or by imprisonment in the county jail for not more than six (6) months, or by both. Violation of this subsection is a misdemeanor. The attorney of the agency, upon order of the agency's governing board, shall petition the superior court to impose, assess and recover such sums.~~
- ~~(f) Termination of Service. The agency may revoke any wastewater discharge permit, or terminate or cause to be terminated, wastewater service to any premise if a violation of any provision of this ordinance is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution, or nuisance as defined in this ordinance. This provision is in addition to other statutes, rules, or regulations, authorizing termination of service for delinquency in payment.~~

Sec. 24-55. Construction of sewers and sewer connections.

- (a) No unauthorized person shall uncover, make any connection with or opening into, use, alter, or disturb any public sewer or appurtenances thereof without first obtaining a written permit from the Manager ~~written authorization from the Sewer Agency With Jurisdiction.~~
- (b) All construction of public sanitary sewers, of sewers to become public sanitary sewers, or of lateral service connection sewers shall conform to the design criteria, the standard plans, and specifications and the inspection and testing for sanitary sewers in accordance with ~~current agency standards~~ the standards of the Sewer Agency With Jurisdiction.

~~Article V. Vesting Certificates.~~

~~Sec. 24-56. General provisions.~~

~~Upon application by the owner of record, and upon payment of such fees as set by resolution of the board of supervisors, the director of permit and resource management department ("director") shall review the application and may issue a transferable certificate vesting certain rights to run with the land subject to the conditions listed below.~~

~~The issuance of a vesting certificate is solely a right to construct a septic system and its issuance does not obligate any other department to issue a permit. The purpose of this article is to protect the certificate holder from subsequent changes in the law, thereby providing some degree of certainty for a limited period of time.~~

- ~~(a) — Term of Vested Right to Construct System. Upon the director's approval of a private sewage design, a vesting certificate upholding the design shall be issued and remain void for a period of three years from the date the certificate is issued, or until the system is constructed, whichever is sooner. The certificate shall be valid only for the approved site, designated system type, and stated capacity.~~
- ~~(b) — Term of Vested Right to Obtain Building Permit. A vesting certificate for a constructed system shall guarantee well and septic section of permit and resource department clearance of the subject parcel for issuance of a building construction permit for a term of two (2) years from date of final approval of the constructed system.~~
- ~~(c) — Prohibition of Experimental and Innovative Systems. No site shall be vested for a system currently classified by the department's innovative systems regulations as experimental or innovative. Only sites suited for systems classified as alternative or standard may be vested.~~
- ~~(d) — Recording. The permit and resource management department shall provide a certified copy of the vesting certificate to the property owner so that the property owner may record the document if desired.~~
- ~~(e) — Prohibition of Systems Requiring Waste Discharge Requirements. No site shall be vested if the proposed septic system installation would require waste discharge requirements from the Regional Water Quality Control Board unless discharge requirements are specifically waived in writing by the Regional Board.~~

~~Sec. 24-57. Revocation of vesting certificate.~~

~~The certificate may be revoked by written notice from the director explaining the reason(s) for revocation upon determination that:~~

- ~~(a) — The application for the certificate or its issuance was based upon erroneous or false data;~~
- ~~(b) — Excavation, grading or compaction of soils has occurred which affect the soil depth, ground slopes or soil percolation rate, whether on the subject or adjoining parcels;~~
- ~~(c) — Construction or alteration of wells, water impoundments, water channels, roads, cutbacks or fills has occurred within setbacks that were established by rules in effect as of the date of the original certificate, whether on the subject or adjoining parcels; or~~
- ~~(d) — It is necessary, based on the discretion of the director, to protect the health and safety of the people of Sonoma County, and/or is necessary to prevent a significant adverse impact on the environment;~~
- ~~(e) — There has been an adoption of an area-wide prohibition of waste discharge or adoption of a prohibition of specific types of discharges by the Regional Water Quality Control Board.~~

~~Sec. 24-58. Procedure to appeal revocation.~~

- ~~(a) The owner may appeal the revocation of a certificate by setting forth the reason(s) in writing, why such revocation is unjust. The appeal must be submitted to and received by the field operations manager of permit and resource management department within fifteen (15) days from the notice of revocation.~~
- ~~(b) The field operations manager of permit and resource management shall respond, in writing, within fifteen (15) days after receipt of the appeal, either by upholding the revocation or granting the appeal.~~
- ~~(c) If the field operations manager of permit and resources management department upholds the revocation, then the owner may appeal to the director of permit and resource management department, pursuant to the procedures set forth in subsections (a) and (b) of this section. The decision of the director of permit and resources management department shall be final, subject to the provision of California Code of Civil Procedure Section 1094.5.~~