

- Funding for maintenance and operation of regional drainage facilities.

[Objectives 5.4.1 and 7.3.4 and Policies 7.3.1.1, 7.3.2.1, and 7.3.2.3]

Responsibility:	Department of Transportation
Time Frame:	Develop program within three years of General Plan adoption.

MEASURE PS-M

Prepare a Construction and Demolition Debris Diversion Ordinance for inclusion in the County Code. [Policy 5.5.2.3]

Responsibility:	Environmental Management
Time Frame:	Present ordinance to Board of Supervisors within five years of General Plan adoption.

MEASURE PS-N

Establish a means, either through formal agreement or through the identification of formal contacts, to coordinate a long-term planning process with private utility providers regarding the location and types of future utility delivery facilities, including the following:

- Undergrounding of utilities [Policy 5.6.1.1];
- Reservation of rights-of-way [Policy 5.6.1.2];
- Use of open space/greenbelts for transmission lines [Policy 5.6.1.3]; and
- Appropriate distances from school sites. [Policy 5.6.1.5]

Responsibility:	Planning Department, Department of Transportation, and Environmental Management
Time Frame:	Establish agreement or contacts within two years of General Plan adoption.

MEASURE PS-O

Develop standards for energy-efficient site development and construction. [Policies 5.6.2.1 and 5.6.2.2]

Responsibility:	Planning Department, Department of Transportation, and Building Department
Time Frame:	Develop standards within four years of General Plan adoption.

MEASURE PS-P

Establish a working group to develop and oversee implementation of minimum countywide standards for emergency response times, emergency access, emergency water supply and conveyance, and staffing ratios. Development of the minimum standards will not preclude emergency service providers from developing and implementing stricter standards for individual service areas. [Policies 5.7.1.1, 5.7.2.1, 5.7.4.1, 5.7.4.2, and 6.2.3.1]

Responsibility:	Fire Protection Districts, Emergency Medical Services Agency, and Sheriff's Department
Time Frame:	Develop and begin implementing standards within three years of General Plan adoption. Meet standard requirements within seven years of General Plan adoption.

MEASURE PS-Q

Establish a procedure for and the conditions under which coordination of the planning efforts of the County and the school districts will take place. [Policies 5.8.1.2, 5.8.1.3, 5.8.1.6, 5.8.2.2, and 5.8.2.5]

Responsibility:	Planning Department
Time Frame:	Establish agreement within five years of General Plan adoption.

MEASURE PS-R

Develop program for attracting a four-year college or university to the county. [Policy 5.8.2.3]

Responsibility:	Chief Administrative Officer, Office of Economic Development, and Planning Department
Time Frame:	Establish program within five years of General Plan adoption; ongoing thereafter.

MEASURE PS-S

Provide support for the development of a performing arts center. [Policy 5.9.2.1]

Responsibility:	Office of Economic Development and Planning Department
Time Frame:	Ongoing

MEASURE PS-T

The County shall compile and make available information regarding typical water demands associated with rural residential development that is dependent upon groundwater. The information shall be posted on the Department’s Internet website and available in hardcopy format at the Development Services Public Counter.

Responsibility:	Environmental Management Department
Time Frame:	Develop and implement program within three years of General Plan adoption.

APPENDIX B
DRAFT LAND DEVELOPMENT MANUAL
CHAPTER 3, SEWAGE DISPOSAL AND WATER REQUIREMENTS

CHAPTER 3 – SEWAGE DISPOSAL AND WATER SUPPLY (draft rev. 7/12/11)

Sections:

- 3.1 Introduction
- 3.2 Wastewater Disposal
 - 3.2.1 Connections to Public Sewer
 - 3.2.2 On-Site Wastewater Disposal
 - 3.2.3 Suitable Wastewater Disposal Areas
 - 3.2.4 Community Sewage Disposal Systems
 - 3.2.5 Supplemental Treatment Systems
 - 3.2.6 Minimum Setback Distances for Sewage Disposal Areas
- 3.3 Water
 - 3.3.1 Connections to Public Water Systems
 - 3.3.2 Wells

3.1 Introduction

This Chapter incorporates State requirements, County Ordinances, Board of Supervisors (Board) Resolutions, and Environmental Management Department (EMD) policies, concerning water supply and quality, and sewage disposal for lot creation. This Chapter of this manual describes what must be done to demonstrate that adequate sewage disposal systems and water supply can be provided for the proposed development. It also addresses water quality requirements of on-site water systems. For more information and definitions, visit EMD's website. (See Chapter 7, Section 7.1 of this manual for contact and website information.)

3.2 Wastewater Disposal

New development shall provide sewage disposal by means of one of the following:

1. Connection to a public sewer system;
2. On-site sewage disposal system (e.g., septic systems); or
3. Community wastewater system.

Waste from within the Lake Tahoe watershed shall be placed only into a sewer system and treatment facility sufficient to handle and treat any such waste and transportation facilities sufficient to transport any resultant effluent outside the Lake Tahoe watershed.¹

3.2.1 Connection to Public Sewer

If a public sewer provider is proposed, the design of the sewage facilities, connections, etc., shall meet the provider's standards. See the appropriate public purveyor for their standards.

¹ California Water Code Section 13951

3.2.1.1 Submittal Requirements²

A facilities improvement letter or similar report from the public sewer provider, indicating the availability of the sewage treatment capacity and the infrastructure needs of the proposed discretionary development project, shall be submitted with the project application. The letter or report shall indicate whether the public sewer provider is able to serve the project. It shall also provide an analysis of the infrastructure that will be necessary to serve the project. Infrastructure improvements shall be identified, including on-site and off-site improvements.

Prior to filing a Final Map or Parcel Map, or the issuance of building permits for other discretionary projects sewer service shall be available for immediate use or as required in Section 3.2.1.2 of this Chapter.

1. A Civil Engineer shall provide documentation that demonstrates that the sewage system will be able to accommodate any future growth in the permitted area. No building permits can be approved without a Civil Engineer's certification that the sewage system can accommodate the proposed increase in sewage.
2. A grading permit may be required for the trenching to install the wastewater system. See Chapter 5 of this manual for more information. All sewer mains, manholes, and laterals, shall be placed, successfully tested, and the backfill compacted prior to the surfacing of the streets affected. Any trenching that affects the County's right-of-ways shall require at a minimum an encroachment permit. Contact DOT for more information.

3.2.1.2 Plans and Specifications

Prior to the approval of the Final Map, filing a Parcel Map, or issuance of a building permit for commercial, industrial or multi-unit residential development for which public sewer service was required, the applicant shall submit to the County Engineer, plans of the sewage collection and disposal system prepared by a Civil Engineer, of sufficient detail to enable the County Engineer to ascertain whether such system conforms to the standards set forth herein and to standard-acceptable engineering practices. Such plans and specifications shall also be reviewed and signed by the authorized representative of the entity that will operate the sewer system(s), certifying it has approved the final construction plans and specifications. A letter shall be provided to the County Engineer by the public entity's engineer, stating that the provider is willing to maintain and operate the sewer system upon its completion.

The County Engineer or the public purveyor may require additional improvements for sewer systems having unusual problems.

3.2.1.3 Sewer Commitment

Prior to approval of a Final Map by the Board, or prior to the filing of a Parcel Map, the required sewer improvements shall be completed or described within a Subdivision Improvement Agreement (SIA) and security provided to guarantee completion. The public purveyor shall submit a letter stating the sewer improvements have been completed to its satisfaction or that the improvements described in the SIA are acceptable to the public purveyor. The letter shall include a statement from the public purveyor that it is willing

² County of El Dorado Ordinance Section 16.16 Improvements

and able to provide service to each lot of the subdivision when the described improvements are completed.

3.2.2 On-Site Disposal and Community Systems³

A feasibility report is required for proposed development projects that would increase development densities in areas where public sewer is not available.

A site evaluation, including soil test pits and percolation tests on at least 10 percent of the proposed lots shall be conducted as part of the feasibility report for project approval. All soil types, as delineated in the USDA Soil Survey of El Dorado Area, California, that are present within the project site shall be included. Proposed test pit sites shall be spread throughout the project to obtain an accurate representation of the project sewage disposal capability and sites shall be pre-approved by EMD prior to digging. The test locations shall be accurately shown on a site map. Site evaluations shall be scheduled to include EMD staff in the process. EMD staff may require additional site evaluations and percolation tests when field conditions indicate that there may be development constraints for wastewater disposal. Please see the EMD web site for additional information. Web site and contact information is provided in Chapter 7.

3.2.2.1 Site Evaluation for Wastewater Disposal⁴

The purpose of the site evaluation is to determine whether or not a lot can accommodate an onsite wastewater treatment system, and is required for both ministerial and discretionary applications. The site evaluation includes a soil observation pit (test trench) and percolation test to determine the soil's ability to treat and dispose of wastewater. EMD shall observe all soil observation pits. The overall site shall be evaluated by the Consultant/Designer. Any specific limitations or conditions that may affect the proposed onsite wastewater disposal system shall be addressed in the site evaluation report.

A site evaluation report is transferable and runs with the land. The report is based upon property conditions at the time of the site evaluation. Changes made to the property after the site evaluation may render the designated area unacceptable. Examples of types of changes include: grading, cuts and fills, new structures, wells, ponds, etc. The property owner must take care not to encumber or alter the designated area in a manner that affects the future system.

In addition, changes in State laws, regulations, County Ordinances, or other policies, governing onsite wastewater treatment systems may necessitate modifications to site evaluation and reporting requirements as well.

3.2.2.2 Minimum Area to Be Shown on Each Lot⁵

For Tentative Maps to be served by onsite sewage disposal systems, the applicant or agent shall provide a feasibility report. Feasibility reports for onsite sewage disposal systems must be

³ County of El Dorado Ordinance Section 16.68

⁴ County of El Dorado Resolution No. 259-99 - Design Standards for the Site Evaluation; El Dorado County Code Chapter 15.32

⁵ Porter-Cologne Water Quality Control Act/ Central Valley Regional Water Quality Control Board Basin Plan

approved by EMD in the form of a written statement prior to a proposed project being scheduled for hearing.

A site evaluation on at least 10 percent of the proposed lots shall be conducted as part of the feasibility report for Tentative Map approval. All soil types listed by the USDA Soil Survey of El Dorado Area, California, shall be included. Proposed test pit sites shall be spread throughout the project to obtain an accurate representation of the project sewage disposal capability and sites shall be pre-approved by EMD prior to digging. The test locations shall be accurately shown on the Tentative Map. Site evaluations shall be scheduled to include EMD in the process. EMD may require additional site evaluations when field conditions indicate the need in order to approve the proposal for onsite sewage disposal.

All proposed lots shall have a site evaluation conducted and meet criteria in Table 3.2.2.2.A as a condition for Final Map approval.

The suitable wastewater disposal areas shall be shown on all Tentative Maps. Suitable wastewater disposal areas shall meet all the requirements for an onsite wastewater disposal system, and shall be located so as not to conflict with any other applicable County requirements⁶.

- A. The size of available wastewater disposal areas shown on each proposed lot shall correspond to the table below:

Table 3.2.2.2.A

PERCOLATION RATE (minutes/inch)	MINIMUM DISPOSAL AREA (square feet)
Less than 10	3,500
11-20	4,800
21-40	6,700
41-60	8,200
61-80	9,500
81-100	10,700
101-120 ⁽¹⁾	11,700
121-140	12,500
141-160	13,500
161-180	14,300
181-200	15,100
201-220	15,800
221-240	16,500
Greater than 240 CRWQCB requirement	Unsuitable for wastewater disposal

⁽¹⁾ Proposed State Water Quality Control Board regulations may limit percolation rates for new lots to below 120 minutes per inch (mpi).

⁶ Porter-Cologne Water Quality Control Act/Central Valley Regional Water Quality Control Board Basin Plan

- B. Proposed subdivisions of greater than 99 lots and projects that exceed sewage flows of 2500 gallons per day shall be submitted for review to the California Regional Water Quality Control Board, Central Valley Region (CRWQCB).

3.2.2.3 Site Evaluation Process

Only licensed Consultants/Designers shall conduct the site evaluation. The Consultant/Designer assists the property owner in locating the appropriate wastewater disposal site on the lot. The Consultant/Designer shall evaluate the soil observation pit(s) and prepare the site evaluation report. The Consultant/Designer shall schedule the time and date of the soil observation pits with EMD.

3.2.2.4 Soil Observation Pit(s)

The soil observation pits are to be dug in the area of the proposed wastewater disposal area. If needed, additional soil observation pits may be required to locate a suitable area for the wastewater disposal system, specifically in an area of potential groundwater or shallow soils.

3.2.2.5 Site Evaluation Report

The Site Evaluation Report shall have the following information on a site map that is drawn to scale:

- A. Required disposal area,
- B. Location of percolation test holes and test pits,
- C. Distance from disposal areas to property lines, easements, driveways, and structures,
- D. Existing structures,
- E. Existing or proposed cuts and/or fills on the property which may affect the onsite wastewater disposal system,
- F. Location of all wells on the lot or on adjacent lots that may affect the onsite wastewater disposal system,
- G. Location of rivers, streams, lakes, ponds, water supply(s), ditches, springs, and wetland areas that may affect the onsite wastewater disposal system,
- H. Percent of slope of the ground in the wastewater disposal area. (Note: Areas of lots that are reserved for wastewater disposal shall be less than 30 percent slope .)⁷,

⁷ County of El Dorado Resolution No. 259-99 - Design Standards for the Site Evaluation/ County of El Dorado General Plan Policy 7.1.2.1

- I. Significant rock outcrops, cuts, fills, and slopes 30 percent or greater which may affect the onsite wastewater disposal system, and
- J. Frontage road and all easements pertaining to the property which may affect the onsite wastewater disposal system.

The overall site shall be evaluated by the Consultant/Designer for considerations that may affect the lot's ability to support an onsite wastewater disposal system. Some of these considerations are slopes 30 percent or greater, and setbacks from property lines, easements, wells, drainage courses, wetland areas, and cut banks. Any specific limitations or conditions that may impact the proposed onsite wastewater disposal system shall be addressed in the report.⁸

3.2.3 Suitable Wastewater Disposal Areas

3.2.3.1 Soil and Groundwater Determination

- A. Effective soil depth shall be four feet below the bottom of the design depth.
- B. Depth to groundwater shall be a minimum of five feet below the bottom of the design depth.
- C. Slopes in designated sewage disposal area shall not exceed 30 percent.

3.2.3.2 Percolation Tests

- A. All percolation tests shall be conducted using standard procedures. See EMD's website.
- B. The location of the percolation test holes shall be evenly distributed horizontally and vertically in the proposed leaching area.
- C. The minimum number of test holes to be dug is four.
- D. Deep trench designs shall be tested at varying depths for proper evaluation of soil.

3.2.4 Community Sewage Disposal Systems

3.2.4.1 Background

EMD shall consider applications for private community wastewater collection and on-site disposal systems ("community systems"). A "community system" is a system which serves more than one lot and may include packaged wastewater treatment plants as acceptable alternatives to traditional wastewater treatment facilities.

This section shall govern the management of all community systems not proposed to be connected to an existing public sewer facility. This section is intended to regulate the use of

⁸ County of El Dorado Resolution No. 259-99 - Design Standards for the Site Evaluation

new community systems, or the expansion of capacity for existing community systems, constructed after the effective date of this section for the treatment and disposal of domestic sewage. This section shall be applicable to those users, including residential, commercial, and industrial developments, whose waste discharge can be considered domestic sewage.

3.2.4.2 Requirements⁹

Community systems shall meet the following requirements:

- A. Ensure protection of the public health,
- B. Assure reliable and reasonable service to the customer,
- C. Prevent degradation of surface and/or subsurface waters,
- D. Minimize any other detrimental environmental effects that could result from the collection, treatment, storage, and disposal of sewage or wastewater associated with on-site sewage disposal systems,
- E. In order to set up a community system, the applicant shall cause to be formed a Property Owner's Association, Community Service District, Zone of Benefit, or similar entity, hereinafter called "Entity", which shall be responsible for the normal and routine operation of a community system,
- F. In the event of problems with the operation and maintenance by the Entity, the Entity shall take all steps necessary to correct the problems in a timely fashion to the satisfaction of EMD,
- G. A defined area of benefit and service fees shall be established prior to the recordation of a Final Map. The funding for this area of benefit shall be set up so as to accrue funds to provide for the future repair or replacement of major components of the system. The level of funding shall be reviewed under authority of the Board on a yearly basis to determine if sufficient monies are available to provide the necessary ability to correct any foreseeable problems with the system. The operating permit shall stipulate the manner in which this funding can be used for project repair or replacement,
- H. The County may require a bond or other accepted surety to cover the initial period until sufficient funds have accrued to the service areas to handle potential problems. The amount of surety may be reduced annually by the amount equal to the reserve funds accrued within the past year,
- I. The operating permit shall be continued until the system, in its entirety, has been abandoned and the dwelling units and other buildings served by such system have been connected to a public sewer system,

⁹ California Health and Safety Code/ County of El Dorado Ordinance 15.32 Private Sewage Disposal

- J. When a sub regional sewer treatment plant and collection system becomes available, a review of the system will be made. If it is determined by EMD to be advantageous, the system shall be connected to the public sewer system.
- K. All systems shall be designed by a qualified Registered Professional Engineer, Geologist, or Environmental Health Specialist as approved by EMD. The design shall be approved by EMD or when applicable, the CRWQCB. Construction shall be supervised by the appropriate agencies, Engineer, and Body,
- L. The Entity will be accountable to the County for the correction of problems or nuisance conditions that may develop,
- M. Prior to recordation of the Final Map, the applicant must have approved contractual agreement with the Entity,
- N. The County has no obligation to issue a permit or enter into a contractual agreement with the applicant solely as a result of this section or these requirements,
- O. The Entity shall obtain an operating permit and be responsible for operation and maintenance of sewer facilities within the County-maintained streets. In the case of a single owner of a multi-unit residential or recreational type facility (such as a mobile home park or campground), the owner shall be the Entity. Provisions shall be made in the operating permit to prevent the termination without the concurrence of all parties. The operating permit shall be tied to the property services so that EMD shall have the authority to assess the Entity for any expense incurred, with the right to lien the property should the Entity default. The Entity must be able to collect funds for the normal operation and maintenance of the system. The Entity must have in its employment or a contract with, a person(s) to operate, monitor, and routinely maintain the system on a day-to-day basis. This person(s) shall be a "Certified Onsite Wastewater System Inspector" or State-licensed "Wastewater Treatment Plant Operator". The level of certification shall be commensurate with the required duties and responsibilities.

3.2.5 Supplemental Treatment Systems¹⁰

3.2.5.1 Background

Supplemental treatment systems perform additional wastewater treatment designed to reduce biochemical oxygen demand (BOD) and total suspended solids (TSS) concentrations, and are special design systems that may be used to serve individual single-family residences, multi-family residences, commercial establishments, and institutional or industrial facilities.

¹⁰ County of El Dorado Ordinance 15.32 Private Sewage Disposal

3.2.5.2 Requirements

- A. Subdivisions, multi residential, multi structural, commercial, and industrial developments using supplemental treatment systems shall form an entity to manage the system.
- B. Engineering plans and site data for supplemental treatment systems shall be submitted in accordance with EMD's standard wastewater disposal application procedures.
- C. The system shall be installed by one of the following licensed contractors:
 - 1. Licensed General Engineering Contractor (Class A),
 - 2. General Building Contractor (Class B),
 - 3. Sanitation System Contractor (Specialty Class C-42), or
 - 4. Plumbing Contractor (Specialty Class C-36 in accordance with the California Business and Professions Code, Sections 7056, 7057, and 7058 and Article 3, Division 8); Title 16 of the California Code of Regulations; and who is familiar with the supplemental treatment system being installed.
- D. Notwithstanding any other provisions, final approval of the proposed supplemental treatment system(s) shall be at the discretion of the EMD Director.

3.2.5.3 Design Standards¹¹

- A. Soil separation between the bottom of the dispersal field and high seasonal groundwater, impervious layer of soil or bedrock, or fractured/weathered bedrock may be reduced to three feet.
- B. Onsite Wastewater Treatment Systems with supplemental treatment components shall:
 - 1. Be equipped with a visual or audible alarm, as well as a telemetric alarm, that alert the owner and service provider in the event of a system malfunction.
 - 2. At a minimum, provide for 24-hour wastewater storage based on design flow as a means to minimize pollution from overflow discharge after a system malfunction or power outage.
- C. Designs for supplemental treatment systems shall be signed by a Consultant/Designer who designed the system.

¹¹ County of El Dorado Ordinance 15.32 Private Sewage Disposal/ [County of El Dorado Resolution No. 259-99](#) - Design Standards for the Site Evaluation

3.2.5.4 *Inspections*

- A. The Consultant/Designer shall also be responsible for the inspection of system installation to assure conformance with approved plans, and shall provide an “As-Built” drawing of the installation to the County and property owner.
- B. The construction inspection by the Consultant/Designer shall be in addition to standard County inspection.
- C. The Consultant/Designer shall provide a construction inspection schedule with the design plan which identifies critical points during construction at which time inspections will occur.
- D. Owner/applicant shall grant access to EMD for the periodic inspections of system operation.

3.2.5.5 *Operation, Maintenance and Monitoring Instructions*

The Consultant/Designer shall provide operation, maintenance, and monitoring instructions in the design which are brief and simple guidelines regarding the operation of the system, owner responsibilities, and system monitoring requirements.

- A. In addition to a construction permit, an operating permit is required for:
 - 1. All supplemental treatment systems,
 - 2. Pump stations connected to a public sewer system,
 - 3. Large commercial systems,
 - 4. All existing systems requiring repair or additions that are multi family developments with sewage flows exceeding 2500 gallons per day,
 - 5. All commercial and industrial developments not operating under waste discharge requirements set by the State’s CRWQCB, and
 - 6. Any special design systems requiring operating permits, as determined by the EMD Director.
- B. Operating permits shall be issued at the time of final approval of the system and are required to be renewed every year, at a minimum. Operating permits shall also be renewed at the time of sale or, in the case of commercial properties, upon change of occupants.
- C. An operating permit shall include a contract with a “Certified Onsite Wastewater System Inspector” (“COWA”, “NAWT”, “NEHA”, or other recognized certification program for Onsite Wastewater Treatment inspectors) or a State-licensed Wastewater Treatment Plant Operator, to inspect the system every six months and file a report with

EMD within 30 days after the inspection. Further, if the system has a grease trap or interceptor, it shall be inspected and cleaned every three months or as needed.

- D. Operating permits are intended to serve as the tool for verifying the adequacy of the system performance and maintenance and operation.
- E. Renewal of an operating permit requires the submission of an application, an application fee, and the written results of required system monitoring and inspection.
- F. Failure to submit a renewal application, the required fee, or specified monitoring and inspection data; or failure to undertake any required corrective work specified by EMD, may be cause for non-renewal or revocation of the operating permit, as well as referral to County Counsel for collection, and the District Attorney for prosecution.
- G. Monitoring requirements shall be recorded with the Recorder's Office.

3.2.5.6 *Systems Under Operating Permits*

- A. Monitoring of systems shall be conducted by or under the supervision of the Consultant/Designer. The County shall conduct spot-check inspections of the systems and may also be present to observe the performance of monitoring activities by others.
- B. Monitoring results shall be submitted to EMD annually, by July 1st, for the preceding 12-month period ending on May 31st.
 - 1. The monitoring report shall be signed by the Certified Onsite Wastewater System Inspector or a State-licensed Wastewater Treatment Plant Operator responsible for the monitoring.
 - 2. Notwithstanding the annual report, the County shall be notified immediately of any significant system problems observed during routine inspection and monitoring or at any other time.
- C. Monitoring requirements will vary depending upon the specific type of system but, in general, they will include the following:
 - 1. Recording of wastewater flow based on water meter readings, pump event counters, elapsed time meters, or other approved methods.
 - 2. Inspection and recording of water levels in any monitoring points in the disposal field.
 - 3. Inspection and observation of pump operation or other mechanical equipment; and general inspection of treatment and disposal area for evidence of seepage, effluent surfacing, erosion, or other indicators of system malfunction.
 - 4. The frequency and monitoring shall be in accordance with the supplemental treatment performance requirements of the CRWQCB as well as the Consultant/Designer's criteria.

- D. Monitoring frequency may be increased if system problems are experienced. Monitoring frequency for each system or type of system will be established by the Consultant/Designer, with agreement from EMD.

3.2.6 Minimum Setback Distances for Sewage Disposal Areas¹²

Setbacks for sewage disposal areas shall be maintained as set forth in Table 3.2.6.A.

Table 3.2.6.A.

FEATURE REQUIRING SETBACK ⁽⁴⁾	DISPOSAL FIELD AND REPLACEMENT AREA	SEPTIC TANK
Perennial stream, lake, pond, marsh or wetland ⁽²⁾	100'	50'
Well, spring (public or domestic)	100'	100'
Seasonal wet area	50'	50'
Intermittent stream or drainage course ⁽¹⁾	50'	25'
Lake or pond used for drinking water ⁽²⁾	200'	100'
Road easements, driveways, Buildings ⁽³⁾	10'	5'
Domestic water service line	5'	5'
Cuts or fills (down gradient)	4x height or depth of cut or fill, 25' maximum	10'
Swimming pools	10'	5'
Property line adjoining private property	10'	5'

⁽¹⁾ Measured from the edge.

⁽²⁾ Measured from the 10-year high water mark.

⁽³⁾ Buildings include porches and steps, whether covered or uncovered, breezeways, roofed porte-cocheres, roofed patios, carports, walks, covered driveways, and similar structures or appurtenances.

⁽⁴⁾ Definitions in this table are from El Dorado County Board of Supervisors Resolution #259-99.

3.3 Water¹³

3.3.1 Connections to Public Water Systems

Water supply and distribution systems shall be provided to all lots when lots or parcels are less than five acres and public sewer is not available. Exceptions to this standard may apply if consistent with the parcel size exception standards of the Title 17 Zoning Ordinance. When water supply and distribution systems are provided, they shall be constructed to the public purveyor's requirements. The public purveyor shall have final approval of the design of all water distribution systems.

3.3.1.1 Water Availability and Infrastructure Assessment

A facilities improvement letter or similar report from the public water purveyor, indicating the availability of the water supply and the infrastructure needs of a proposed discretionary development project, shall be submitted with the project application. The letter or report shall indicate whether the water purveyor is likely to be able to serve the project and an analysis of

¹² County of El Dorado Resolution No. 259-99 - Design Standards for the Site Evaluation/Uniform plumbing code

¹³ County of El Dorado Ordinance Section 16.16 Improvements

the infrastructure that is necessary to serve the project. Infrastructure improvements shall be identified, including on-site and off-site improvements.

3.3.1.2 Plans and Specifications

Water supply plans and specifications shall be reviewed, approved, and signed by the fire protection district having jurisdiction and the water district responsible for providing service upon completion of the project.

3.3.1.3 Water Commitment¹⁴

Prior to approval of the Final Map by the Board, or prior to the filing of a Parcel Map, the required water improvements shall either be completed, or fully identified and described within an approved Subdivision Improvement Agreement.

- A. The public purveyor shall submit a letter to DSD Planning Services stating that the water improvements have been completed to its satisfaction or that the improvements described in the subdivision agreement are acceptable to the public purveyor. The letter shall include a statement from the public purveyor that it is willing and able to provide service to each lot of the subdivision when the described improvements are completed.
- B. The applicant shall also provide to DSD Planning Services El Dorado Irrigation District's (EID's) "water meter award" letter, or an equivalent in areas served by other water purveyors, which states that each lot has secured a water meter.

3.3.2 Wells

3.3.2.1 Background

As part of the review and approval process for a development project that is not proposing to connect to public water, the applicant shall demonstrate through production testing, water quality testing, and other studies, that the groundwater supply is adequate to meet the highest demand associated with the project. The report must be signed and stamped by the Consultant/Designer.

3.3.2.2 Testing Requirements

- A. For Tentative Maps of more than 10 proposed lots, a minimum of 10 percent of the proposed lots shall have a well drilled. For proof of adequate water quantity, these wells shall have a 24 hour pump test conducted. Proposed well sites shall be spread throughout the project to obtain an accurate representation of the project water supply and sites shall be pre-approved by EMD prior to drilling. The well locations shall be accurately shown on the Tentative Map.
- B. Wells that do not meet the minimum quantity or quality requirements of this section shall be replaced and tested by at least two additional wells, in addition to the 10 percent required above, as determined by EMD. If a well meeting the minimum production criteria of County Policy 800-02 or the Well Construction and Water Supply Standards Ordinance and minimum water quality standards is drilled on every proposed lot, the map may be deemed acceptable for proof of adequate water.

¹⁴ County of El Dorado Ordinance Section 16.16 Improvements

- C. For Parcel Maps, a minimum of one well shall have a 24 hour pump test or there shall be a well drilled on each parcel that meets the minimum standards of County Policy 800-02 or the Well Construction and Water Supply Standards Ordinance.
- D. For Tentative Maps of 10 lots or less and Parcel Maps, a feasibility report may be substituted for well drilling.
- E. Tentative Maps that include rezoning may require a larger percentage of lots to show adequate quantity and quality of water.¹⁵
- F. The test method shall be approved by EMD prior to testing. Test wells shall also be tested for water quality requirements.
- G. The 24 hour production capacity of each tested well shall meet or exceed five gallons per minute.
- H. Water sources **may not** be combined to meet the minimum production requirement for proposed lots.
- I. Water quality testing shall be performed on these pump-tested wells for the chemical contaminants identified in the Title 22, Safe Drinking Water Standards. The standards are available at:
<http://www.cdph.ca.gov/certlic/drinkingwater/Pages/Chemicalcontaminants.aspx>
 - 1. Initial results that exceed standards shall be re-sampled by an approved third-party to determine compliance.
 - 2. If the level of any inorganic chemical exceeds the Maximum Containment Level (MCL), a second sample shall be collected within 14 days to confirm the result. If the second sample result again exceeds the MCL, the well will not be acceptable as proof of an adequate water supply for the purpose of land development.
 - 3. If the second sample result does not exceed the MCL, a third sample shall be taken to confirm the result.
 - 4. If testing confirms that the water quality exceeds State primary acute health risk standards, the well shall not be acceptable as proof of an adequate water supply for the purpose of land development.
 - 5. If testing confirms that the water quality exceeds State primary chronic (long term use) health risk standards, listed above, EMD may consider approval of a treatment process to meet safe health standards for a potable water supply.¹⁶ (See Section 3.9.1.3 of this Chapter.)

3.3.2.3 Community Water Systems¹⁷

- A. Water systems that serve five or more connections shall be operated by a legally created public entity.
- B. For lot development dependent on creation of a public water system, all State regulations relating to public water systems, including adequate Technical, Managerial, and Financial Capabilities, shall be met. Contact California Department of Public Health, Division of Drinking Water and Environmental Management. (See Chapter 7, Section 7.1 of this manual for contact and website information.)

¹⁵ County of El Dorado General Plan policies 2.2.3.3, 5.2.3.2, and 5.2.3.4,

¹⁶ Title 17 and 22 California Code Regulations

¹⁷ Title 17 and 22 California Code Regulations

- C. Public Water System wells are required to be pump tested following criteria specified by the California Department of Public Health, Division of Drinking Water and Environmental Management.

3.3.2.4 Treatment Process

A. Applicability and Intent

1. Treatment and monitoring shall be implemented in cases when State primary chronic (long term use) health risk standards are exceeded.
2. This section shall govern the management of individual systems not proposed to be connected to an existing public water supply. This section shall be applicable to those users, including residential, commercial, and industrial developments, whose water is supplied by individual wells.
3. This section shall be liberally construed to:
 - a. Ensure protection of the public health, and
 - b. To assure reliable and reasonable service to the property owner.

B. Requirements:

1. A treatment process, certified by a third-party (ANSI, NSF, State Department of Public Health, or other official agency) that will consistently maintain the level of the chemical(s) to a safe level.
2. The applicant shall cause to be formed a Property Owner's Association, CSD, Zone of Benefit, or similar entity, (hereinafter called "Entity"), which shall be responsible for the normal and routine maintenance and operation of the system(s).
3. The Entity shall provide a State Certified Water Treatment Plant Operator to operate and maintain the treatment system; and to report to EMD.
4. An operating permit shall be obtained from EMD and stipulate the manner in which funding as set forth in subparagraph 3.3.1.3.B.10 can be used for project repair or replacement.
5. The County may require a bond or other accepted surety to cover the initial period until sufficient funds have accrued to the service areas to handle potential problems. The amount of surety may be reduced annually by the amount equal to the reserve funds accrued within the past year.
6. The operating permit shall be continued until the system, in its entirety, has been abandoned and the dwelling units and other buildings served by such system have been connected to a public water system.
7. The Entity shall be accountable to the County for the correction of problems or nuisance conditions that may develop.
8. Prior to recordation of the Final Map, the applicant shall have created the Entity that will be responsible for operation and maintenance of all water facilities within the development.
9. In the event of problems with the operation and maintenance by the Entity, the Entity shall take all steps necessary to correct the problems in a timely fashion to the satisfaction of EMD.
10. A defined area of benefit and service fees within shall be established prior to the recordation of a Final Map. The funding for this area of benefit shall be set up so as to accrue funds to provide for the future repair or replacement of major components of the system(s). The level of funding shall be reviewed under authority of the Board on a yearly basis to determine if sufficient monies are

available to provide the necessary ability to correct any foreseeable problems with the system(s).

3.3.2.5 Lot Size¹⁸

All lots using individual wells and individual septic systems shall have a minimum of 4.5 acres. Adjustments may be considered consistent with the parcel size exception provisions of Title 17, Zoning Ordinance. In areas with groundwater supply limitations, the lot size may be required to be not less than 10 acres if it is demonstrated such larger parcels are necessary to limit the impact on groundwater supply in the area..

3.3.3.6 Setbacks

Table 3.3. 2.6.A.

Potential Contamination Source	Minimum Setback Distance to Well (in feet) ⁽¹⁾
Sewer line (main or lateral)	50
Public drinking water main	50
Onsite wastewater treatment system (both septic tank and leach lines)	100
Animal or fowl enclosure with solid wastes constituting a nuisance ⁽²⁾	100
Abandoned dump site	1000
Wet areas and drainages ⁽³⁾	Avoid or divert away from well

⁽¹⁾ Lesser or greater separation distances may be approved by EMD based on specific site conditions.

⁽²⁾ As defined in the County's "Solid Waste Management Ordinance".

⁽³⁾ These areas are not the 100-Year flood plain as defined in Chapter 17.25, Flood Damage Prevention

Notes:

- A. It is recommended that a well be placed at least 100 feet from a property line to protect the well from development on an adjacent lot.
- B. If a drill site is located within zoning setbacks (as prescribed in the County's Title 17 Zoning Ordinance), no structure over 30" high can be constructed over the wellhead.

3.3.2.7 Water Requirements for Final Map Approval

Prior to the filing of a Final Map, acceptable proof shall be provided to EMD that each lot has a safe and reliable water supply.

- A. Water wells must be:
 1. Constructed to the standards specified in Water Well Standards, State of California, Department of Water Resources, Bulletins 74-81, 74-90, and subsequent supplements or revisions, and
 2. Capable of providing to **each connection** a minimum of five gallons per minute, either from the well itself or a combination of well and storage (see Chapter 2 of this manual and the fire protection district having jurisdiction).

¹⁸ County of El Dorado General Plan Policies 5.2.3.5 and 5.3.1.2

- B. Wells producing less than one gallon per minute shall not be accepted as an adequate water supply for the purpose of a building permit.¹⁹
- C. The production capacity of a well for a single family dwelling shall be determined from a four hour well production test per EMD's requirements. The production capacity is **valid for two years** from the date of testing and shall be certified with an original signature by a licensed Well Driller, Pump Contractor, or other professional person approved by EMD.²⁰
- D. Well production test reports shall include the start and end time of the test period. Test reports shall be submitted on company letterhead and signed by the person performing the test.
- E. A report of water quality, analyzed by a California State certified laboratory, shall be submitted to EMD on the proposed water supply.
- F. Water quality reports shall include, at a minimum, all of the required constituents in Section 3.9.1 of this Chapter.²¹
- G. Water supplies that exceed State primary drinking water health standards for chronic contaminants shall have a deed restriction recorded on the lot that the water supply is not potable without installation of a certified treatment system that reduces the contaminant level to safe health standards.
- H. Additional water quality parameters may be required depending on the location of the lot, susceptibility to other contaminants, results of testing conducted during Tentative Map proof of water documentation, and future drinking water standards.

References:

Porter-Cologne Water Quality Control Act
California Health and Safety Code
California Water Code
Central Valley Water Quality Control Board Basin Plan
County of El Dorado Ordinance 15.32 Private Sewage Disposal
County of El Dorado Resolution No. 259-99 - Design Standards for the Site Evaluation and Design of Sewage Disposal Systems
County of El Dorado Ordinance 13.12 Sewer System
County of El Dorado General Plan Policies
Environmental Management Policy 800-02:
County Ordinance (Chapter 8.39)

¹⁹ Environmental Management Policy 800-02/County Ordinance (Chapter 8.39)

²⁰ Environmental Management Policy 800-02/County Ordinance (Chapter 8.39)

²¹ Title 17 and 22 California Code Regulations

APPENDIX C
LOCAL ORDINANCES

C-1: Chapter 110.32: Private Sewage Disposal Systems

CHAPTER 110.32. - PRIVATE SEWAGE DISPOSAL SYSTEMS

Sec. 110.32.010. - Sewers required.

- A. *Connection required.* Every building in which plumbing fixtures are installed and every premises having drainage piping thereon shall have a connection to a public or private sewer, except as provided in Subsections B and D of this section.
- B. *Private system.* When no public sewer, intended to serve any lot or premises, is available in any thoroughfare or right-of-way abutting such lot or premises, drainage piping from any building or works shall be connected to an approved private sewage disposal system.
- C. *Smaller parcels.* Within the limits prescribed by Subsection D of this section, the rearrangement or subdivision into smaller parcels or a lot which abuts and is served by a public sewer shall not be deemed cause to permit the construction of a private sewage disposal system, and all plumbing or drainage systems on any such smaller parcel or parcels shall connect to the public sewer.
- D. *Distance from public sewer.* The public sewer may be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto is located more than 200 feet (60.8 m) from any proposed building or exterior drainage facility on any lot or premises which abuts and is served by such public sewer.
- E. *Permit for private system.*
1. A permit is required for the installation, alteration, or repair of any private sewage disposal system or part thereof on any lot for which a connection with a public sewer is not available.
 2. No permit shall be issued for the installation, alteration, or repair of any private sewage disposal system or part thereof on any lot for which a connection with a public sewer is available.
- F. *Plumbing and drainage systems.* On every lot or premises hereafter connected to public sewer, all plumbing and drainage systems or parts thereof, on such lot or premises, shall be connected with such public sewer.
- G. *Exception.* Single-family dwellings and buildings or structures accessory thereto, existing and connected to an approved private sewage disposal system prior to the time of connecting the premises to a public sewer, may, when no hazard, nuisance, or unsanitary condition is evidenced and written permission has been obtained from the Environmental Management Division Director, remain connected to such properly maintained private sewage disposal system when there is insufficient grade or fall to permit drainage to the sewer by gravity.

(Code 1997, § 15.32.010; Ord. No. 4542, 11-23-1999)

Sec. 110.32.020. - Private sewage disposal.

A. *General requirements.*

1. *Review of design.* Sewage disposal system designs will be accepted for review only from registered civil engineers, registered geologists, certified professional soil scientists, or registered environmental health specialists who are knowledgeable and experienced in the field of sewage disposal system design and installation.
2. *Type of system.* Where permitted or required by Section 110.32.010, the building sewer may be connected to a private sewage disposal system complying with the provisions of this chapter. The type of system shall be determined on the basis of location, site evaluation test trench, soil

porosity, and groundwater level and shall be designed to receive all sewage from the property. The system, except as otherwise approved, shall consist of a septic tank with effluent discharging into a subsurface disposal field, into one or more seepage pits, or into a combination of subsurface disposal field and seepage pits. The Environmental Management Division Director may grant exceptions to the provisions of this chapter for permitted structures which have been destroyed due to fire or natural disaster, and which cannot be reconstructed in compliance with these provisions.

3. *Abnormal quantities; treatment approval.* Where the quantity or quality of the sewage is such that the system described in Subsection A.2 of this section cannot be expected to function satisfactorily; for commercial, agricultural, and industrial plumbing systems; for installations where appreciable amounts of industrial or indigestible wastes are produced; for occupancies producing abnormal quantities of sewage or liquid waste; or when grease interceptors are required by other parts of this chapter, the method of sewage treatment and disposal shall be first approved by the Environmental Management Division Director. Special sewage disposal systems for minor, limited, or temporary uses shall be first approved by the Environmental Management Division Director.
4. *Design.* Disposal systems shall be designed to utilize the most porous or absorptive portions of the soil formation.
5. *Seepage pits; drainage fields.* All private sewage disposal systems shall be so designed that additional seepage pits or subsurface drain fields, equivalent to at least 100 percent of the required original system, may be installed if the original system cannot absorb all the sewage. No division of the lot or erection of structures on the lot shall be made if such division or structure impairs the usefulness of the 100 percent expansion area. Commercial, agricultural, industrial, multifamily, forest, recreational, and mobile home parks projects shall require a minimum of 300 percent expansion area. No division of the lot or erection of structures on the lot shall be made if such division or structure impairs the usefulness of the 300 percent expansion area.
6. *Property improvement.*
 - a. *Quantity.* No property shall be improved in excess of its capacity to properly absorb sewage effluent by the means provided in this chapter.
 - b. *Exception.* The Environmental Management Division Director may, at his or her discretion, approve an alternate system.
7. *Location.*
 - a. No private sewage disposal system, or part thereof, shall be located on any lot other than the lot which is the site of the building or structure served by such private sewage disposal system; nor shall any private sewage disposal system or part thereof be located at any point having less than the minimum distances indicated as designated by resolution of the Board of Supervisors from time to time.
 - b. Nothing contained in this chapter shall be construed to prohibit the use of all or part of an abutting lot to provide additional space for a private sewage disposal system or part thereof, when proper cause, transfer of ownership, or change of boundary not in violation of other requirements has been first established to the satisfaction of the Environmental Management Division Director. The instrument recording such action shall constitute an agreement with the Department which shall clearly state and show that the areas so joined or used shall be maintained as a unit during the time they are so used. Such agreement shall

be notarized and recorded in the office of the County Recorder as part of the conditions of ownership of said properties. A copy of the document recording such proceedings shall be filed with the Department.

8. *Insufficient area or improper conditions.* When there is insufficient lot area or improper soil conditions for adequate sewage disposal for the building or land use proposed, and the Environmental Management Division Director so finds, no building permit shall be issued and no private sewage disposal shall be permitted. Where space or soil conditions are critical, no building permit shall be issued until engineering data and test reports satisfactory to the Environmental Management Division Director have been submitted and approved.
 9. *Higher requirements.* Nothing contained in this chapter shall be construed to prevent the Environmental Management Division Director from requiring compliance with higher requirements than those contained herein, where such higher requirements are essential to maintain a safe and sanitary condition.
 10. *Alternative systems.*
 - a. Alternative systems may be used with permission of the Environmental Management Division Director after being satisfied of their adequacy. This authorization may be based on extensive field and test data from conditions similar to those at the proposed site or may require such additional data as may be necessary to provide assurance that the alternate system will produce continuous and long-range results at the proposed site, at least equivalent to systems which are specifically authorized.
 - b. If demonstration systems are to be considered for installation, conditions for installation, maintenance, and monitoring at each such site shall first be established and approved by the Department.
- B. *Design standards.*
1. The Department has prepared design standards for the design of septic tanks, drain lines, disposal fields, and any other facilities normally found in conjunction with individual sewage disposal systems serving single or multiple dwellings.
 2. When and as required, the Department shall revise the design standards to reflect the current engineering concepts and legal requirements.
 3. The design standards shall be presented to the Board of Supervisors for adoption by resolution. When adopted, these standards shall have the force and effect of law.

(Code 1997, § 15.32.020; Ord. No. 4542, 11-23-1999)

Sec. 110.32.030. - Temporary mobile homes.

Temporary mobile homes, as approved by the Development Services Division of the Community Development Agency, shall be permitted to connect to the existing sewage disposal system if the home is to house persons providing in-home care of a family member or persons assisting elderly or handicapped homeowners in the care/protection of the property. Temporary mobile homes that are approved to prevent dislocation of family members, house watchmen or caretakers of commercial or industrial property, or house agricultural employees must provide adequate additional sewage disposal for the bedrooms to be added.

(Code 1997, § 15.32.030; Ord. No. 4542, 11-23-1999)

Sec. 110.32.040. - California Building Standards Code.

The County Environmental Management Division of the Community Development Agency will enforce by reference the most current California Building Standards Code as adopted by the County Building Department.

(Code 1997, § 15.32.040; Ord. No. 4542, 11-23-1999)

Sec. 110.32.050. - Public entity.

The County Environmental Management Division of the Community Development Agency may, upon acceptance by the Board of Supervisors of a specific resolution, serve in the capacity of a public entity for a proposed land development project.

(Code 1997, § 15.32.050; Ord. No. 4542, 11-23-1999)

Sec. 110.32.060. - Pollution prohibited.

All sewage shall be disposed of by an approved method of collection, treatment, and effluent discharge. Sewage or sewage effluent shall not be disposed of in any manner that will cause pollution of the ground surface, groundwater, bathing area, lake, pond, watercourse or tidewater, or create a nuisance. It shall not be discharged into any abandoned or unused well or into any crevice, sinkhole, or other opening, either natural or artificial.

(Code 1997, § 15.32.060; Ord. No. 4542, 11-23-1999)

Sec. 110.32.070. - Appeals.

Appeals from the rulings of the Environmental Management Division Director relating to alternate materials or methods of construction or design required by the Department shall be filed with the County Building Appeals Board.

(Code 1997, § 15.32.070; Ord. No. 4542, 11-23-1999)

Sec. 110.32.080. - Enforcement.

A. *Violation.*

1. It is unlawful to install, alter, repair, operate, or maintain a system, or to increase sewage flows to the system, except in conformance with this chapter. Any person who violates any of the provisions and/or conditions of a permit on the first offense shall be charged with an infraction. When there is a second occurrence of a same offense, or repeated offenses of any type by any one person or company, the person responsible shall be charged with a misdemeanor.
2. Discharge of sewage onto the ground surface or into public waters pursuant to Section 110.32.060 shall be a misdemeanor on the first offense.

B. *Right of entry.* The Environmental Management Division Director or a duly authorized environmental health specialist is authorized to enforce the requirements of this chapter. They may enter upon any premises to make inspections and perform tests for the purpose of enforcement of this chapter or the abatement of a public health hazard or public nuisance. Any entry onto private property will be in accordance with State law.

C. *Action against violator.* If a person's activity or property condition is found to be in violation of any provision of this chapter and/or permit conditions, and the violation is construed to be an infraction or misdemeanor, enforcement action as prescribed in Subsection A of this section may be taken against the person responsible.

C-2: Chapter 8.39: Draft Well Construction and Water Supply Standards



ORDINANCE No. _____

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 8.39 of Title 8 of the El Dorado County Ordinance Code entitled Well Standards within the County of El Dorado is hereby amended in its entirety and replaced as follows:

CHAPTER 8.39

**WELL CONSTRUCTION AND WATER SUPPLY STANDARDS
WITHIN THE COUNTY OF EL DORADO**

Article I. – GENERAL PROVISIONS

8.39.010 Title and Purpose

This Chapter shall be known as the “Well Construction and Water Supply Standards Ordinance.”

The purpose of this Chapter is to protect the health, safety, and general welfare of the people within the unincorporated area of the County, and to further the County’s efforts to ensure groundwater will not be polluted or contaminated. Minimum requirements are contained in this Chapter for construction, reconstruction, destruction and repair of water wells, cathodic protection wells, soil borings, monitoring wells, and geothermal heat exchange wells. Reliable and safe water supplies for new construction and land developments are defined. In the event of a drought, and a State of Emergency is declared by the Governor of California (Governor), some requirements may be temporarily waived until such time that the Governor rescinds the State of Emergency and declares the drought is over.

8.39.020 Adoption of State Standards

This Chapter shall be known and may be cited as the County of El Dorado Well Ordinance and except as otherwise specified, the minimum standards for the construction, repair, reconstruction, or destruction of wells shall be as set forth in California Division of Water Resources “Water Well Standards” Bulletins 74-81, 74-90, and subsequent supplements or revisions, which are hereby incorporated by reference.

8.39.030 Variances

The Director shall have the power under this Ordinance to grant a variance from any provision of the standards referenced in Section 8.39.020, and to prescribe alternative requirements in

their place if: (i) a special circumstance exists where practical difficulties or unnecessary hardship would result from the strict interpretation and enforcement of any such standard; or (ii) the granting of such a variance is consistent with the purposes of this Chapter.

8.39.40 Other Agency Requirements

Nothing in this Chapter shall be deemed to excuse any person from compliance with the provisions of California Water Code, Section 13752, or any other agency requirement relating to protection of public water systems, including but not limited to, notices and reports of completion or any other federal, state, or local reporting regulations.

8.39.50 Conflicts

The operation of this Chapter shall in no way change or diminish the application of other ordinances, County General Plan, policy or regulation that already limit, disallow, or otherwise regulate the construction, reconstruction, destruction and repair, of water wells, cathodic protection wells, soil borings, monitoring wells, and geothermal heat exchange wells.

8.39.060 Definitions

For purposes of this Chapter the following definitions shall apply:

- A. As Defined in Other Documents. Except as otherwise required by the context of this Chapter, the terms used in this Chapter shall have the same meaning as in Chapter 10 of Division 7 of the California Water Code and the California Division of Water Resources Bulletins 74-81, 74-90, and subsequent supplements or revisions.
- B. Tense or Gender. Words used in the present tense include the future as well as the present. Words used in the masculine gender include the feminine and neuter. The singular number includes the plural, and the plural the singular.
- C. Section headings, when contained in this Chapter, shall not be deemed to govern, limit, modify, or in any manner affect the scope, meaning, or intent of the provisions of any section.
- D. "Board" means the County of El Dorado, Building Appeals Board.
- E. "BOS" means the County of El Dorado, Board of Supervisors.
- F. "Cathodic protection well" means any artificial excavation in excess of fifty feet (50') deep constructed by any method for the purpose of installing equipment, or facilities for the protection electrically of metallic equipment in contact with the ground, commonly referred to as cathodic protection.
- G. "Contamination" means an impairment of the quality of the waters of the State such that it creates a hazard to the public health through poisoning, the spread of disease, hazardous materials, or other substances. "Contamination" includes any equivalent effect resulting from the release of contaminants, whether or not waters of the State are affected.
- H. "County" means County of El Dorado.

- I. "Director" means County of El Dorado, Community Development Agency, Environmental Management Division Director, or their authorized representative.
- J. "Division" means the County of El Dorado, Community Development Agency, Environmental Management Division.
- K. "Domestic water supply" means water used for indoor and outdoor household purposes that include activities at home: drinking, preparing food, bathing, washing clothes and dishes, brushing teeth, watering the yard and garden, and even washing the dog.
- L. "Enforcement agency" means the County of El Dorado, Community Development Agency, Environmental Management Division.
- M. "Geothermal heat exchange well" means any uncased artificial excavation, by any method, that uses the heat exchange capacity of the earth for heating and cooling, in which excavation the ambient ground temperature is 30 degrees Celsius (86 degrees Fahrenheit) or less, and which excavation uses a closed loop fluid system to prevent the discharge, or escape of its fluid into surrounding aquifers or other geologic formations. Geothermal heat exchange wells include ground source heat pump wells.
- N. "Monitoring well" (also called observation well) means any artificial excavation by any method for the purpose of monitoring fluctuations in, quality of, or the concentration of contaminants in groundwater.
- O. "Onsite wastewater treatment system" means a system of septic tank and subsurface dispersal system handling the liquid waste from any structure not served by a community sewer system.
- P. "Person" means any individual, organization, partnership, business, association, corporation, or governmental agency to the extent authorized by law.
- Q. "Pollution" means an alteration of the quality of the waters of the State by waste to a degree which unreasonably affects (i) the waters for beneficial uses, or (ii) facilities which serve these beneficial uses. "Pollution" may include contamination.
- R. "Potable or safe water" means water that complies with maximum contaminant levels for primary drinking water standards of the constituents listed in Section 8.39.500.
- S. "Property line" means the surveyed line separating one piece of property from another or separating public rights-of-way from private properties.
- T. "Public water system" means a system for the provision of water for human consumption through pipes or other constructed conveyances that has fifteen (15) or more service connections or regularly serves at least twenty-five (25) individuals daily at least sixty (60) days out of the year. Public water systems can be either (i) community: a public water system that serves at least fifteen (15) service connections used by yearlong residents or regularly serves at least twenty-five (25) year-long residents of the area served by the system; (ii) non-community: a public water system that is not a community water system; (iii) non-transient, non-community: a public water system that is not a community water system and that regularly serves at least twenty-five (25) of the same persons over six (6) months per year; this includes systems regulated under California Retail Food Code; or state small water system: a system for the provision of piped water to the public for human consumption that serves at least five (5),

but not more than fourteen (14) service connections, and does not regularly serve drinking water to more than an average of twenty-five (25) individuals daily for more than sixty (60) days out of the year.

- U. "Repair" or "reconstruction" means deepening or cleaning out of the well shaft, and can include the replacement and/or resealing of a well casing.
- V. "Sewer" means a pipe carrying waste from any structure or a pipe that is a part of any community sewer disposal system.
- W. "Soil boring" (also called exploratory or test well) means an uncased artificial excavation constructed by any method for the purpose of obtaining information on subsurface conditions, or for the purpose of determining the presence or extent of contamination in subsurface soils or groundwater, or for seismic information.
- X. "Source" means surface water diversion, groundwater well or spring.
- Y. "Spring" means a subsurface source of flowing water that emerges naturally from rock or soil, and can be an approved source if constructed by methods to exclude surface water contamination.
- Z. "Well" or "water well" means any artificial excavation constructed by any method for the purpose of extracting water from, or injecting water into, the underground. This definition shall not include: (i) oil and gas wells, or geothermal wells constructed under the jurisdiction of the California Department of Conservation, except those wells converted to use as water wells; or (ii) wells used for the purpose of dewatering excavations during construction, or stabilizing hillsides or earth embankments.

Article II.- LOCATION

8.39.100 Parcel Size

Parcels are required to be a minimum of five (5.0) acres to be approved for a water well permit. If a parcel is less than 5.0 acres, the following exceptions may apply and a water well permit may be issued, as long as all other requirements in this ordinance are fulfilled: (i) if parcel map or subdivision map does not designate the water supply, and the parcel was created prior to May 26, 1977; (ii) if parcel was created by a gift deed recorded on or before October 10, 1983; and (iii) if parcel was created on or after May 26, 1977, but before 2004, and the parcel is not less than 4.5 acres.

8.39.110 Setbacks

- A. All water wells shall be located such that adequate separation is provided between the well and areas with known or suspected contaminants or pollutants.
- B. The following setbacks shall be maintained:

Minimum Distance from:	feet *
Property line – parcels less than 5 acres	10**
Property line – parcels 5 acres or greater	50**

Sewer line (main, lateral or combined storm drain)	50
Public drinking water system main	50
Onsite wastewater treatment system (both septic tank and leach lines)	100
Hazardous materials underground storage tank	150
Animal or fowl enclosure ***	100
Flooded areas and drainages	Avoid or divert away from well

* Lesser or greater separation distances may be approved by the Division based on specific site conditions.

** It is recommended that a well be placed one-hundred (100) feet from a property line to protect the well from development of an adjacent parcel.

*** In cases where animal wastes constituting nuisance as defined in County Ordinance Code, Section 8.42.020.

- C. If drill site is located within County zoning setbacks, no structure over 30” high can be constructed over the wellhead.
- D. It is the responsibility of the well driller to ensure compliance with setbacks.

8.39.120 Special Ground Water Protection

- A. The Director may require additional setbacks or special well seal conditions to prevent groundwater contamination when conditions present a potential threat to groundwater.
- B. The Director may designate areas where groundwater quality problems are known to exist, and where a well will penetrate more than one (1) water bearing zone. When an applicant proposes well construction, reconstruction, or destruction work where there are multiple water bearing zones, the Division may require the applicant to provide a report prepared by a California Registered Professional Geologist, or a California Registered Professional Engineer (as defined in the California Business and Professions Code) to be submitted with the permit application that identifies all strata containing poor quality water, and make recommendations regarding the location and specifications of the seal or seals needed to prevent the entrance of poor quality water or its migration into other water bearing zones.
- C. It is the responsibility of the well driller to notify the Division of the existence of multiple aquifers prior to the grout seal inspection.

Article III. – PERMITS

8.39.200 License Required

All construction, reconstruction, or destruction work on wells shall be conducted by a person who possesses an active C-57, Well Drilling California State Contractor's License, in accordance with the provisions of the Business and Professions Code Section 7000, et seq.

8.39.210 Permits Required

No person shall dig, bore, drill, deepen, modify, repair, or destroy a water well, cathodic protection well, soil boring, monitoring well, geothermal heat exchange well, or any other type

of well excavation that may intersect groundwater without first applying for, and receiving a permit from the Division unless exempted by law.

8.39.220 Emergency Work

The provisions of Section 8.39.210 shall not apply to emergency work required on short notice to maintain drinking water or agricultural supply systems. In such cases, the person responsible for the emergency work shall: (i) apply for a permit within three (3) working days after commencement of emergency work; (ii) satisfy the Division that such work was urgently needed; and (iii) demonstrate that all work performed was in conformance with this ordinance.

8.39.230 Application Procedure

- A. Applications for permits shall be made to the Division on approved forms and shall contain all such information the enforcement agency requires to accomplish the purpose of this Chapter. Applications shall include all of the following: (i) a vicinity map and clear driving directions to the property and well site; (ii) two (2) copies of an accurate site plan drawn to scale showing the proposed well location, and the location of other significant features within 200 feet of the well location such as distances to property lines, septic tanks, leach lines, sewer lines, domestic water supply lines, existing wells, streams or ponds, animal enclosures, adjacent parcel development, structures, roads, driveways, easements, etc.; (iii) north arrow; (iv) the scale used for the site plan; (v) location and availability of alternative water source (i.e. public water or existing well); (vi) provide information that any nearby alternative water source(s) are fitted with proper backflow prevention devices for source water protection; and (vii) applications for monitoring well destruction permits shall include a work plan that includes investigation results (if applicable) and destruction method.
- B. Small parcels to be developed with an on-site wastewater treatment system may be required to provide additional design information prior to permit approval.
- C. The signed application shall be submitted by the property owner or his representative, and will be accompanied by the required filing fee. If the Division finds that the application contains all necessary information and meets requirements for development eligibility, parcel size, and setbacks, a permit containing such conditions as necessary to fulfill the purpose of this Chapter shall be issued by the Division.
- D. Upon receipt of an application, the Division may inspect the proposed drilling site prior to issuance of a well permit. The purpose of this inspection is to determine whether site conditions exist that would preclude approval of the proposed site.

8.39.240 Fees

Fees shall be collected by the Division for a permit to dig, bore, drill, deepen, modify, repair, or destroy a water well, cathodic protection well, soil boring, monitoring well, or geothermal heat exchange well. In addition, fees may be collected for revisions, inactivation permits, penalties, re-inspections, and appeals. The BOS sets fee rates by Resolution.

8.39.250 Re-inspection Fees

If site is not ready for a scheduled inspection, and the inspection cannot be completed at the scheduled time, additional fees may be assessed in accordance with the Division's fee schedule and payable prior to a re-inspection.

8.39.260 Penalty for Failure to Obtain Permit

Any person who shall commence any work for which a permit is required by this ordinance without having obtained a permit, shall be required, if subsequently granted a permit for this work, to pay additional fees as set by BOS Resolution.

8.39.270 Permit Denial

The Division shall deny an application for a permit if, in its judgment, issuance of a permit is not in compliance with provisions of this Ordinance.

8.39.280 Permit Expiration

The permittee shall complete the work authorized by the permit within one (1) year of permit issuance. If there have been exceptional circumstances, and the permittee submits a written request prior to expiration of the permit, the Division may grant the applicant a one (1) year extension. Upon the expiration of the permit, no further work shall be done until the applicant has received a new permit.

8.39.290 Voiding of Permit Application

Permit applications that are submitted, but not issued, shall be voided if the permit cannot be issued within one (1) year of permit submittal date.

8.39.300 Refund of Permit Fees

Refunds for submitted permit applications may be made to the payee when requested in writing by the payee prior to the date of expiration or voiding of a permit application. Staff time spent reviewing and processing the permit may be deducted (using the current billable hourly rate) from the amount of the refund. If the permit expires, or is voided prior to requesting a refund, no refund shall be paid.

8.38.310 Permit Revisions

Permit application revisions shall be submitted for review and approval as follows: (i) change of driller requires an amended permit application specifying the new driller and a new site plan; (ii) change of drill site requires new site plan; or (iii) change in proposed drilling methods.

8.39.320 Permit Suspension and Revocation

The Division may suspend or revoke any permit issued pursuant to this Chapter when it is found that the permittee has violated any of the provisions of this Chapter, or has misrepresented any material fact in the application or any supporting documents for such a permit. Prior to ordering any such suspension or revocation, the Division shall give the

permittee reasonable notice for the opportunity of a hearing thereon. The hearing shall be before the Director or their authorized representative. An appeal may be made as set forth in Section 8.39.800.

No person whose permit has been suspended or revoked shall continue to perform the work for which the permit was granted until, in the case of suspension, the Director has reinstated such permit.

8.39.330 Ordered Additional Work

Upon suspending or revoking any permit, if any work previously done by permittee, has left a well in such a condition as to constitute a hazard to the quality of groundwater, the Division may order the permittee to perform any work reasonably necessary to protect groundwater from pollution or contamination. No permittee, or person, who has held any permit issued pursuant to this Chapter, shall fail to comply with any such order.

8.39.340 Annual Permits and Inspections for Monitoring Wells

An annual permit fee may be charged, and an annual inspection may be conducted to confirm the status of the monitoring well.

Article IV. – CONSTRUCTION, PRODUCTION AND DESTRUCTION

8.39.400 Drilling fluids

- A. Drilling fluids used in boring a new well or deepening and existing well shall be free of contaminants. Water used for drilling fluids shall be obtained from a potable water source.
- B. The permit shall contain a clause requiring the safe and appropriate handling, and disposal of drilling fluids, and other drilling materials used in connection with the permitted work. Approved site specific Best Management Practices (BMP's) shall be implemented so that drilling fluids and soil cuttings remain on the permitted parcel unless another disposal method is approved for the site by the Division. Excavated pits dug for the disposal of drilling fluids shall be backfilled upon completion of the job.
- C. Wells drilled in the South Lake Tahoe Basin shall follow South Lake Tahoe Regional Planning Agency's (TRPA) BMP's for proper disposal of drilling fluids and abide by grading season requirements unless granted an exemption from TRPA.

8.39.410 Water Well Construction

- A. Public water well construction and operation shall comply with Title 22, California Code of Regulations, Chapter 16, and the California Waterworks Standards.
- B. In some cases, additional sealing requirements will be stipulated on the permit. The Division's requirements may be more stringent than California Well Standards.

8.39.420 Water Well Production

- A. Water wells must be capable of providing, to each connection, a minimum of five (5) gallons per minute, either from the well itself, or a combination of well and storage. Wells producing less than one (1) gallon per minute shall not be accepted as an adequate water supply.
- B. The production capacity of a well for a single family dwelling shall be determined from a four (4) hour well production test as defined in State of California, Department of Water Resources, "Water Well Standards", Bulletins 74-81, 74-90, and subsequent supplements or revisions. The production capacity is valid for two (2) years from the date of testing and shall be certified with an original signature by a licensed well driller, licensed pump contractor, or other licensed professional approved by the Division.
- C. The capacity of residential wells {one (1) to four (4) connections} shall be determined from a well production test. The test shall meet criteria of at least one of the test methods defined in Department of Water Resources "Water Well Standards" Bulletin "Water Well Standards", Bulletins 74-81, 74-90 or by another approved method acceptable to the Division.
- D. For wells used for other than a single family dwelling, the Division shall determine the length of the pump testing required.
- E. Public Water System wells are required to be pump tested for a minimum of seventy-two (72) hours following criteria specified by the Division, and the California State Water Resources Control Board.
- F. Pumping discharges shall be managed in compliance with approved site specific BMPs and shall not be allowed to enter a storm drain system or a watercourse. The Division, during a drought declared by the Governor, encourages capture and reuse of production test water whenever possible.
- G. Well production test reports shall include the start and end time of the test period, shall be submitted on company letterhead, and signed by the person performing the test.

8.39.430 Submittal of State "Well Completion Report"

The driller shall provide the Division, and the California Division of Water Resources, a well completion report within sixty (60) days of the completion of any well construction, reconstruction, or destruction. This report shall document that the work was completed in accordance with the standards and all additional permit conditions.

8.39.440 Spring Construction and Production Requirement

- A. New Public Water Systems that will rely on water supplied by springs or seeps must have the system designed by a California Registered Professional Geologist, or a California Registered Professional Engineer.
- B. Springs must be capable of providing to each connection a minimum of five (5) gallons per minute, either from the spring itself, or a combination of spring and storage. Springs producing less than one (1) gallon per minute shall not be accepted as an adequate water supply.
- C. The production capacity of a spring shall be determined by measuring the discharge flow rate during the driest months of the year. The production capacity of a spring is valid for two (2) years from the date of testing, and shall be certified by a licensed well driller, licensed pump

contractor, California Registered Professional Geologist, or a California Registered Professional Engineer.

8.39.450 Water Storage Requirement

Wells or springs that are used for water supply that produce less than five (5) gallons per minute, shall have at least 1000-gallons additional storage installed. Additional structures on a parcel may increase the storage tank size requirement.

8.39.460 Destruction

- A. All waste generated during destruction activities shall be properly managed. This includes, but is not limited to, all waters generated during debris removal or seal placement.
- B. Soil borings or test holes that are not completed as wells shall be completely filled with sealing material. Sealing material may be placed by free fall method only if the boring is dry, less than thirty (30) feet deep, and does not result in bridging or voids. Volume/fill calculation shall be completed to document successful destruction.
- C. In some cases, additional destruction requirements will be stipulated on the permit. The Division's requirements may be more stringent than California Well Standards.

Article V. – SAMPLING

8.39.500 Water Quality Public Water Wells

- A. A water quality report that provides analysis results as required by California Code of Regulations, Title 22 must be submitted to the Division prior to receiving a final inspection for a building permit and operation of the well or water system. The water quality samples shall be analyzed by a California State certified laboratory; Water quality testing conducted as part of the land development process satisfies this requirement including coliform tests analyzed within the past one year.
- B. Water supplies that do not meet State primary drinking water standards for acute health risks shall not be approved for use by this Division without installation of a certified treatment system that reduces the contaminant level to safe health standards.
- C. Water supplies that exceed Title 22 of the California Code of Regulations, Drinking Water Standards for chronic contaminants, shall have a deed restriction recorded on the parcel that the water supply is not potable without installation of a certified treatment system that reduces the contaminant level to safe health standards. These chronic contaminants include (but are not limited to) the following constituents:

Total and fecal coliform
Nitrate (as NO₃)
Nitrite (as nitrogen)
Nitrate plus Nitrite (sum as nitrogen)
Arsenic

- D. Initial results that exceed the Maximum Contaminant Levels (MCL) specified in Title 22 of the California Code of Regulations may be re-sampled by an approved third party to determine compliance.
- E. Additional water quality parameters may be required depending on the location of the parcel, susceptibility to other contaminants, and future drinking water standards.

Article VI. – INSPECTIONS

8.39.600 Inspections

- A. The Division may inspect the annular seal depth prior to sealing, and at any other time that the well is under construction or before a well is destroyed.
- B. The Division may make a final inspection after completion of the well to determine whether the well was completed in accordance with this Chapter.
- C. A final inspection shall be scheduled with the Division at a minimum of forty-eight (48) hours advance notification.

8.39.610 Self-Certification for Seal Inspection

- A. The Division allows for self-certification of well seals for construction, reconstruction, destruction and repair of water wells, cathodic protection wells, soil borings, monitoring wells, and geothermal heat exchange wells as a service to expedite project completion.
- B. Prior to being allowed to perform self-certification as a self-certified inspector, those wanting to become certified, shall file a “Self-Certification Application” for the Division’s review. If application is approved, the applicant will be notified.
- C. When a permit application is filed for construction, reconstruction, destruction and repair of water wells, cathodic protection wells, soil borings, monitoring wells, and geothermal heat exchange wells, the approved self-certified inspector must be noted on the application, and the Division will determine if self-certified inspection is permitted on a case-by-case basis.
- D. The Division shall be notified at least forty-eight (48) hours prior to any sealing inspection that will be conducted by the self-certified inspector.
- E. A completed “Well Seal Record” shall be filed with the Division by the self-certified inspector within thirty (30) days of well completion. The well permit will not be finalized if the “Well Seal Record” is not filed.

8.39.620 Should Division Fail to be Present

If the Division does not grant approval to allow a self-certified seal inspection, and there is not a Division inspector available, the driller shall seal the well in accordance with the standards of this Ordinance and any permit conditions. No seal shall be poured until permission to proceed has been received by the scheduled seal time as required in Section 8.39.600 unless other arrangements are made with Division.

8.39.630 Right of Entry and Inspection

The Division shall have the right to enter upon any premises, at all reasonable times, to make inspections and tests for the purpose of such enforcement and administration. If any such premises are occupied, the Division representative shall first present proper credentials and request entry. If the same is unoccupied, the Division representative shall first make a reasonable effort to locate the owner or any person having charge or control of the same and request entry. If such entry is refused, the Division shall have recourse to such remedies as are provided by law to secure entry.

Article VII. – ENFORCEMENT

8.39.700 Violation a Misdemeanor

Any person who violates any of the provisions of this Ordinance is guilty of a misdemeanor, and upon conviction thereof, is punishable by such penalties as set forth in County Ordinance Code, Chapter 1.24, General Penalty.

8.39.710 Notice of Violation

- A. A notice of violation shall be issued, and shall be recorded with the County Recorder-Clerk, when the Division determines that: (i) a well has not been completed in accordance with a well permit or the plans and specifications relating thereto; and (ii) a well has been constructed or destroyed without a required permit; or (iii) an abandoned well has not been destroyed in accordance with this ordinance.
- B. The owner(s) of the property, as revealed by the assessment roll, on which the violation is situated, and any other person responsible for the violation shall be notified of the recordation, if their address is available.
- C. If the property owner(s), or authorized agent, disagrees with the determination, he may submit evidence to the Division and shall have a right to appeal an adverse decision of the Director to the Board in accordance with the provisions of Section 8.39.800.

8.39.720 Decision by Board

The Board may reverse, affirm, or modify, wholly or in part, the decision or the notice of violation, and may make such order as should be made. Such action may be appealed to the BOS.

8.39.730 Removal of Violation Notice

The Division shall submit a removal of notice of violation to the County Recorder-Clerk when: (i) after review, it is determined by the Division, or the Board that no violation of this Chapter exists; or (ii) all required and corrective work has been completed and approved by the Division.

8.39.740 Civil Enforcement

Violations of this Chapter may also be redressed in the manner hereinafter set forth by civil action. In addition to being subject to prosecution, any person who violates any of the provisions of this Chapter may be made the subject of a civil action. Appropriate civil action includes, but is not limited to, injunctive relief and cost recovery.

8.39.750 Remedies Cumulative

The remedies available to the Board to enforce this Chapter are in addition to any other remedies available under ordinance or statute, such regulations for the protection of groundwater against pollution and contamination, and for protection of public health.

Article VIII. - APPEALS

8.39.800 Appeals

Any person whose application for a permit has been denied, granted conditionally, been suspended or revoked, or whose variance request has been denied, may appeal to the Board.

Article IX. - SEVERABILITY

8.39.900 Severability

If any section, subsection, paragraph, sentence, clause, or phrase of the ordinance codified in this Chapter, is for any reason held to be invalid, or unconstitutional by a decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance, including any other section, subsection, sentence, clause, or phrase therein.

C-3: Chapter 13.12: Sewer System

CHAPTER 13.12. - SEWER SYSTEM

FOOTNOTE(S):

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State Law reference— Authority of County to construct, establish, and maintain drains and sewers, Government Code § 25825; Community Facilities Law of 1911, Health and Safety Code § 4600 et seq.

Sec. 13.12.010. - Title.

This chapter shall be known and may be referred to in all proceedings as the County Sewage Disposal Ordinance.

(Prior Code, § 8101; Code 1997, § 13.12.010)

Sec. 13.12.020. - Definitions.

For the purpose of this chapter, certain words and phrases are defined and certain provisions shall be construed as set out in this section, unless it is apparent from their context that they have a different meaning, as follows:

Cesspool means an excavation into the earth which is used for the reception of sewage or drainage from plumbing fixtures, effluent from septic tanks, together with the water used in carriage of the sewage or drainage but which does not have watertight walls and bottom.

Construction means construction, repair, alteration or relocation of a sewage disposal system.

Drainage system means all the piping within public or private premises which conveys sewage or other liquid wastes to a point of disposal, but shall not include the mains or laterals of a public sewer system.

Health Department means the County Health Department.

Health Officer means the Health Officer of the County.

Privy means a structure used as a toilet under a part or all or which is a vault or pit intended for the reception of human waste matter.

Public sanitary sewer means any sewage disposal system operated and maintained by any municipality, district or public corporation organized and existing under and by virtue of the laws of the State for the benefit of the public.

Seepage pit or vertical drain means one or more pits extending into a porous stratum, but not into a subterranean water bearing stratum, lined with open-jointed walls and capped.

Septic tank means a watertight 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 the tank through a subsurface drainage system or into a cesspool meeting the requirements of this chapter.

Sewage means any and all waste substances, liquid or solid, associated with human habitation, or which contains or may be contaminated with human or animal excreta or excrement, offal or any feculent matter.

(Prior Code, § 8102; Code 1997, § 13.12.020)

Sec. 13.12.030. - Applicability.

Except as otherwise expressly provided in this chapter, this chapter shall apply to all territory lying within the limits of the County, excluding any territory lying within an incorporated city.

(Prior Code, § 8103; Code 1997, § 13.12.030)

Sec. 13.12.040. - Noncompliance prohibited.

It is unlawful to maintain or use any residence, place of business or other building or place where persons reside, congregate or are employed which is not provided with a means for the disposal of sewage which complies with the rules and regulations relating to sewage disposal made and established by the County Health Officer.

(Prior Code, § 8104; Code 1997, § 13.12.040)

Sec. 13.12.050. - Connection required when.

The drainage system in every building within a sanitary district where persons reside, congregate or are employed which is within 200 feet of a public sanitary sewer to which the owner of the building may lawfully connect the drainage system of the building upon proper application therefor and the payment of required fees, shall, upon order of the authority operating and maintaining the public sanitary sewer, be connected to the public sanitary sewer by the owner of the building in the most direct manner possible and in accordance with the rules and regulations of the authority.

(Prior Code, § 8105; Code 1997, § 13.12.050)

Sec. 13.12.060. - Building permit required.

It is unlawful for any person to construct, add to, modify or alter any privy, cesspool, septic tank, sewage treatment works, excavation, sewer pipes or conduits, other pipes or conduits or other means for the disposal, treatment or discharge of sewage without first securing a building permit therefor from the County Building Department.

(Prior Code, § 8106; Code 1997, § 13.12.060)

Sec. 13.12.070. - Septic tank and drain standards.

Septic tanks and drains for the disposal of the tank effluent shall be so constructed as to meet the following minimum standards:

- A. *Septic tanks.* In order that septic tanks and the use of the same shall not be offensive, injurious or dangerous to health, the County Health Officer shall make and establish rules and regulations which may from time to time be altered and amended by the County Health Officer regarding the size, the materials used in, the location of, and the manner of construction of septic tanks, and every septic tank shall be constructed in strict compliance with the rules and regulations and in compliance with the terms and provisions of the sanitation permit for the construction of the system.

- B. *Drainage system.* In order that drainage systems from septic tanks shall not be offensive, injurious or dangerous to health, the County Health Officer shall make and establish rules and regulations which may from time to time be altered and amended by the County Health Officer regarding the size, the materials used in, the location of, and the manner of construction of drainage systems from septic tanks, and every drainage system from a septic tank shall be constructed and installed in strict compliance with the rules and regulations and in compliance with the terms and provisions of the sanitation permit issued by the County Health Officer for the construction of the system.

(Prior Code, § 8109; Code 1997, § 13.12.070)

Sec. 13.12.080. - Privy restrictions.

It is unlawful to construct, use or maintain a privy without a sanitation permit from the County Health Officer. In order that privies and the use of them shall not be offensive, injurious or dangerous to health, the County Health Officer shall make and establish rules and regulations which may from time to time be altered and amended by the County Health Officer regarding the size, the materials used in, the location of, and the manner of construction of privies, and every privy shall be constructed in strict compliance with the rules and regulations and in compliance with the terms and provisions of the sanitation permit issued by the County Health Officer for the construction of the privy.

(Prior Code, § 8110; Code 1997, § 13.12.080)

Sec. 13.12.090. - Sanitation permit requirements.

No building permit shall be given for the construction, alteration, repair or replacement of any privy, cesspool, septic tank, sewage treatment works, excavation, sewer pipes or conduits, other pipes or conduits, or other sewage disposal system by the County Building Department unless:

- A. The means or proposed means for the disposal, treatment or discharge of sewage will not permit the escape of any unpleasant or noxious odors, vapors or gases;
- B. The means or proposed means for the disposal, treatment or discharge of sewage will not permit the ingress and egress of flies, other insects, rodents or animals;
- C. The means or proposed means for the disposal, treatment or discharge of sewage will not permit the discharge of sewage or the discharge or drainage of effluent from the sewage disposal system to empty, flow, seep, drain, condense into or otherwise pollute any stream, river, lake or tributary or other waters used or which may be used or suitable for use for domestic or agricultural purposes;
- D. The means or proposed means for the disposal, treatment or discharge of sewage shall not be offensive, dangerous or injurious to health;
- E. The means or proposed means for the disposal, treatment or discharge of sewage conforms in all respects to the rules and regulations of the Health Department for the disposal, treatment or discharge of sewage.

(Prior Code, § 8111; Code 1997, § 13.12.090)

Sec. 13.12.100. - Change orders.

The County Health Officer may order changes of the system, method, means, manner and place for the disposal, treatment or discharge of sewage in order that they will not constitute a menace to health of human beings, animals or a nuisance. The orders of the County Health Officer shall designate the periods within which the changes are to be made.

(Prior Code, § 8113; Code 1997, § 13.12.100)

Sec. 13.12.110. - Inspection before covering.

No work done under any building permit for the construction, alteration, repair or replacement of a sewage disposal system shall be covered, concealed or put into use until it has been inspected and approved by the County Building Department.

(Prior Code, § 8114; Code 1997, § 13.12.110)

Sec. 13.12.120. - Temporary use permits.

Anything in this chapter to the contrary notwithstanding, the County Health Officer may grant special permits for limited periods of time when, in his or her opinion, the application of this chapter or any of the provisions of this chapter would, during that time, be impracticable or unnecessary, and in issuing the special permit, the County Health Officer may prescribe such conditions as, in his or her judgment, will be necessary to protect the public health.

(Prior Code, § 8116; Code 1997, § 13.12.120)

Sec. 13.12.130. - Rule adoption.

For the purpose of carrying the intent of this chapter into effect, the County Health Officer shall have the power to adopt, promulgate, repeal and amend uniform rules and regulations and requirements not in conflict with this chapter or the laws of the State with regard to the construction, installation, alteration, modification and dimensions of the matters dealt with in this chapter based upon investigation, inspection and tests on accepted sanitation standards which provide wholesome and sanitary conditions.

(Prior Code, § 8117; Code 1997, § 13.12.130)

Sec. 13.12.140. - Appeals.

Any person whose application for a sanitation permit, or for an approval, has been denied, may, within 30 days after the date of the denial, appeal therefrom in writing to the Board of Supervisors in accordance with the provisions under Chapter 2.09 et seq. The appeal shall be heard by the Board at its next regular meeting thereafter, unless the appeal was filed within five days of the meeting, in which event it shall be heard at the next regular meeting subsequent thereto, and the Board of Supervisors shall affirm or overrule the denial of the application and shall make such orders as may be necessary to protect and preserve public health.

(Prior Code, § 8118; Code 1997, § 13.12.140)

Sec. 13.12.150. - Enforcement.

It shall be the duty of the County Health Department and Building Department to enforce all of the provisions of this chapter relative to sewage disposal treatment or discharge, and other matters regulated by this chapter.

(Prior Code, § 8119; Code 1997, § 13.12.150)

Sec. 13.12.160. - Penalty for violation.

- A. Any person violating or contributing in any way to the violation of any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished according to the general penalties described in Chapter 1.24.
- B. Every violation of any provision of this chapter shall be construed as a separate offense for each day during which the violation continues and shall be punishable as provided in this section.

(Prior Code, § 8120; Code 1997, § 13.12.160)