

Yolo County Onsite Wastewater Treatment System Ordinance

Summary:

This Ordinance amends Chapters 5 and 8 of Title 6 of the County of Yolo Code of Ordinances to establish conformity with standards for the approval, installation, and operation of Onsite Wastewater Treatment Systems within Yolo County. This Ordinance is consistent with the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems adopted by the California State Water Resources Control Board on June 19, 2012.

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Article 1: Legal Authority

Sec. 6.19-101 Legal Authority

Onsite Wastewater Treatment Systems (hereafter, “Systems”) are regulated by State law. The State Water Resources Control Board and the Central Valley Regional Water Quality Control Board have delegated their authority to regulate Systems in the incorporated and unincorporated areas of Yolo County to the Yolo County Environmental Health Division.

(a) Water Code sections 13290 et seq. authorize a local agency to adopt or retain regulations and standards for Systems that are at least equally protective of the public health or the environment than state laws and regulations.

(b) On June 19, 2012, the State Water Resources Control Board adopted the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy), effective May 13, 2013. The OWTS Policy requires a local agency to implement the statewide minimum standards of the OWTS Policy which provides provisions for low risk OWTS, or develop a local program by adopting a Local Agency Management Program (LAMP). The LAMP may allow alternatives to the OWTS Policy; however the LAMP must demonstrate that the standards achieve the same purpose as the OWTS Policy which is to protect water quality and public health. This Ordinance and its partner document, the Onsite Wastewater Treatment System Manual are major components of Yolo County’s LAMP. The Yolo County LAMP has been submitted to the Central Valley Regional Water Quality Control Board prior to the OWTS Policy deadline of May 13, 2016, and has been determined to meet the minimum standards of the OWTS Policy. Any modifications thereto must be approved by the Central Valley Regional Water Quality Control Board. All elements of the LAMP must be implemented prior to May 13, 2018.

For Graywater Systems, Yolo County Environmental Health Division has the authority to enforce standards in the unincorporated area only. The local building official has jurisdiction in the incorporated cities.

Article 2: Purposes

Sec. 6.19-201 Purposes

The purposes of this Chapter are to:

(a) Protect public health and the environment by protecting Groundwater and surface water quality.

(b) Establish an administrative framework allowing the adoption of science-based minimum standards for design, construction, installation, operation, maintenance,

monitoring, replacement, enlargement, repair and abandonment or modification of Systems.

(c) Provide for compliance and enforcement of a comprehensive onsite regulatory program.

(d) Ensure compliance with applicable standards, laws, policies and guidelines as adopted, and/or modified by the State Water Resources Control Board or the Central Valley Regional Water Quality Control Board and State Department of Water Resources.

(e) To fulfill and implement the requirements of a Local Agency Management Program, as required by the State Water Quality Control Board OWTS Policy.

Article 3: Applicability

Sec. 6-19.301 Applicability

(a) Except as allowed by section 6.19-301 (h), the standards contained in this Chapter apply to the siting, design and construction of on-site Wastewater treatment, storage and disposal Systems, or their components, whether proposed as part of a land Subdivision, a Lot creation, a Building Permit, a Land Use Project or special event; and

(b) These standards shall apply to replacement, repair and abandonment of an existing System; and

(b) Any System and all work performed on any System after the effective date of this Chapter; and

(c) Except for Failing Systems, and except for Systems that are determined to be a Public Nuisance, all existing Systems installed and approved under permit from the Yolo County Environmental Health Division (hereafter, "DEH") prior to the adoption of this Chapter, the conditions for the System siting, design, construction, operation, maintenance, and monitoring, approved at that time shall apply, until the System fails, requires corrective action, is replaced, enlarged, significantly altered or is subjected to change or intensification in use; and

(d) These standards shall apply to activities of pumping, cleaning, hauling and disposing of Wastewater as provided in this Chapter; and

(e) These standards shall apply to Non-Discharging Wastewater Disposal Units and Graywater Systems as defined in this Chapter; and

(f) Nothing contained in this Chapter shall be construed to prevent DEH from requiring compliance with more restrictive standards than those contained herein in order to protect water quality and public health; and

(g) The Director of Environmental Health may grant exceptions from the provisions of this Chapter and/or the Manual for Systems which, due to the physical constraints of the Lot, cannot be repaired or reconstructed in compliance with these provisions provided that such exceptions are the minimum necessary. In such as case, the System shall be brought into compliance with these provisions to the greatest extent feasible; and

(h) These standards shall not apply to Public Sewer Systems; and

(i) These standards shall apply to Systems with a design flow less than 10,000 gallons per day.

Article 4: Definitions

The following words and terms, when used in this Chapter, have the following meanings, unless the context clearly indicates otherwise. Terms expressed in the singular shall be constructed to incorporate the plural, and vice versa, unless the context otherwise requires.

Sec. 6-19.401 Alternative System

A type of Wastewater disposal or System component(s) that utilizes either a method of Wastewater treatment other than a standard Septic Tank and/or a method of Wastewater dispersal other than a standard Dispersal Field in native Soil.

Sec. 6-19.402 Appeal

The administrative process that allows the Appeal Board to consider relief from any provision or requirement of the Yolo County Onsite Wastewater Treatment System Ordinance and Manual.

Sec. 6-19.403 Appeal Board

The Appeal Board shall be the Yolo County Board of Supervisors.

Sec. 6-19.404 Applicant

A property Owner or the property Owner's Authorized Representative.

Sec. 6-19.405 As-Built Drawing

A scaled drawing of the features on the lot where the System is installed; identifying the location of the installed System and components in relation to structures on the property. The As-Built drawing is completed after the System is installed or repaired.

Sec. 6-19.406 Authorized Representative

Person or Persons authorized by the property Owner to act on the property Owner's behalf on matters pertaining to application for permits and services, or holder of an easement sufficient to authorize the work on the land on which the System is to be installed, in order to represent the Owner's or easement holder's interests.

Sec. 6-19.407 Bedroom or Potential Sleeping Room

For purposes of System sizing, a Bedroom or Potential Sleeping Room shall mean a habitable room with a floor area equal or greater than 70 square feet with direct or indirect access to a bathroom and designed to provide privacy to the occupant(s), regardless of whether or not it contains a closet. Such rooms include, but are not limited to, rooms labeled on plans as bedrooms, lofts, sewing rooms, dens, offices and game rooms. Kitchens, bathrooms, laundry rooms, or rooms with large entryways lacking doors and designed such that the installation of a door would require a building permit may not be considered Bedrooms or Potential Sleeping Rooms. Additionally, rooms that are not considered Bedrooms or Potential Sleeping Rooms are rooms that open to a living room, dining room, family room, kitchen, foyer/entry way, or another room such as a master suite, and these rooms have an un-obstructive opening (no doors) with a minimum 50% opening of the total wall space (minimum 6' wide) with archways or other uncased doorways or acceptable features that do not provide privacy to the occupants. The final determination as to whether a room is a Bedroom or Potential Sleeping Room shall be at the discretion of the Director of Environmental Health.

Sec. 6-19.408 Beneficial Use

Those qualities of waters of the state that may be protected against quality degradation that include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply; power generation, recreation; esthetic enjoyment; navigation; and preservation and enhancement of fish, wildlife and other aquatic resources or preserves.

Sec. 6-19.409 Building Permit

An official document or certificate issued by the authority having jurisdiction which authorizes performance of a specified activity.

Sec. 6-19.410 Cesspool

An excavation in the ground receiving Wastewater, designed to retain the organic matter and solids, while allowing the liquids to seep into the Soil. Cesspools differ from Seepage Pits because a Cesspool does not have a Septic Tank.

Sec. 6.19.411 Cluster System

An Onsite Wastewater Treatment System serving at least two (2) but not more than four (4) dwellings or other buildings that are sources of Wastewater discharge on the same Lot and under the same ownership.

Sec. 6-19.412 Community System

A System that accepts Wastewater discharges from two or more Lots, or a System shared by dwellings under separate ownership whether or not they are on the same lot. A Community System is not a Public Sewer System.

Sec. 6-19.413 Contamination

Impairment to the quality of the waters of the State from Wastewater to a degree which creates a hazard to public health through toxicity or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of Wastewater, whether or not waters of the state are affected.

Sec. 6-19.414 Contractor

A Person who possesses an active license as a General Engineering Contractor (Class A), a General Building Contractor (Class B), a Sanitation System Contractor (Class C-42) or a Plumbing Contractor (Class C-36) in accordance with the provisions of the California Business and Professions Code. Contractors shall be approved by DEH and shall possess knowledge, and skills of Systems siting, design using given design parameters, and installation.

Sec. 6-19.415 Cumulative Impacts

The persistent and/or increasing effect resulting from the density of System(s) discharges in relation to the assimilative capacity of the local environment. Examples include, but not limited to:

- (a) Nitrogen, salt additions, or other indicator of human excreta to Groundwater or surface water; or
- (b) Rise in Groundwater levels that interfere with the performance of the System, causing drainage problems or results in other adverse hydrological or Soil conditions affecting public health, water quality or public safety; or
- (c) Coliform contamination from animal and human waste in surface water, Groundwater, and drinking water wells.

Sec. 6-19.416 DEH

See Division of Environmental Health

Sec. 6-19.417 Director of Environmental Health

The Director of the Yolo County Environmental Health Division, or his/her designated employee.

Sec 6-19.418 Dispersal Field

The area occupied by the Dispersal System; it may also be referred to as Leach Field.

Sec. 6-19.419 Dispersal System

A subsurface Wastewater distribution System and its components which conveys Wastewater from the Septic Tank, pump tank and or Supplemental Treatment Unit to the Soil for subsurface discharge and final Wastewater treatment.

Sec. 6-19.420 Division of Environmental Health (DEH)

The Yolo County Division of Environmental Health, the Director of Environmental Health and designated employees.

Sec. 6-19.421 Domestic Wastewater

Wastewater with a measured strength less than High Strength Wastewater and is the type of Wastewater normally discharged from, or similar to, that discharged from plumbing fixtures, appliances and other household devices including, but not limited to toilets, bathtubs, showers, laundry facilities, dishwashing facilities, and garbage disposals. Domestic Wastewater may include Wastewater from commercial buildings such as office buildings, retail stores, and some restaurants or from industrial facilities where the Domestic Wastewater is segregated from the Industrial Wastewater. Domestic Wastewater may include incidental recreational vehicle (RV) holding tank dumping but does not include Wastewater consisting of a significant portion of RV holding tank Wastewater such as at RV dump stations. Domestic Wastewater does not include Wastewater from industrial processes.

Sec. 6-19.422 Effective Soil

Permeable, unsaturated Soil providing sufficient aeration and retention for optimal filtration treatment of Sewage Effluent.

Sec. 6-19.423 Effluent

Sewage, water, or other liquid, partially or completely treated or in its natural state, flowing out of a Septic Tank, aerobic treatment unit, Dispersal System, or other System component.

Sec. 6-19.424 Expansion

The increase in the size of the Dispersal Field, usually as a result of a planned or potential increase in the estimated Wastewater flow to the Dispersal Field.

Sec. 6-19.425 Failing System

Any System that is at least one of the following:

- (a) Is currently or intermittently discharging untreated or inadequately treated Wastewater Effluent directly or indirectly onto the ground surface, into a dwelling or other structure, or into surface or Groundwater; or
- (b) Has a Substandard Tank or Septic Tank failure, such as a baffle failure or tank structural integrity failure such that either Wastewater is exfiltrating or Groundwater is infiltrating; or
- (c) Has a component failure, such as a broken distribution box or broken piping connection; or
- (d) The Dispersal Field is not receiving Effluent, such that Wastewater is backing up into the plumbing fixtures, or the Septic Tank must be pumped frequently to dispose of the Wastewater flow; or
- (d) A System installed or repaired without required permits; or
- (e) Is not operated in compliance with permit conditions or requirements for operation, monitoring and maintenance as specified in this Chapter and the Manual; or
- (f) Has been retrofitted with unapproved components or been modified from the original approved design without approval from DEH; or
- (g) Does not meet Effluent quality standards as specified in the approved System Design.

Sec. 6-19.426 Final Approval

The document issued by DEH that certifies the System was installed in compliance with this Chapter and the Manual; and all permit conditions have been met, including issuance of an Operating Permit, if required.

Sec. 6-19.427 Geotechnical Report

A written document prepared by a California Registered Geotechnical Engineer and used to communicate Soil and geologic site conditions, interpretations, analysis and recommendations pertinent to the design, installation and operation of a System in or near areas of steeply sloping terrain, flood control levees, or Unstable Land Masses.

Sec. 6-19.428 Graywater

Pursuant to Health and Safety Code Section 17922.12, Graywater means untreated Wastewater that has not been contaminated by any toilet discharge, and has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. Graywater includes but is not limited to Wastewater from bathtubs, showers, bathroom washbasins, clothes washing machines, and laundry tubs. Graywater includes “dark graywater,” which means Wastewater from kitchen sinks or dishwashers.

Sec. 6-19.429 Graywater System

A Graywater System that is designed to collect Graywater and transport it out of the structure for distribution in shallow soil or mulch. A Graywater System may include tanks, valves, filter, pumps, or other appurtenances along with piping and receiving landscape.

Sec. 6-19.430 Groundwater

Water below the ground surface that is at or above atmospheric pressure. For purpose of this Chapter and the Manual, Groundwater may also refer to evidence of the high seasonal groundwater as determined through a Site Evaluation.

Sec. 6-19.431 High Strength Wastewater

Wastewater has a 30-day average concentration of biochemical oxygen demand (BOD) greater than 300 milligrams-per-liter (mg/L) or of total solid suspended solids (TSS) greater than 330 mg/L or of fats, oil, and grease (FOG) greater than 100 mg/L prior to the Septic Tank or other System treatment component.

Sec. 6-19.432 Holding Tank

A watertight receptacle designed to receive and store sewage to facilitate disposal at another location. A Holding Tank is a Non-Discharging Wastewater Disposal Unit.

Sec. 6-19.433 Industrial Wastewater

Any Wastewater generated from any manufacturing, processing institution, commercial, or agricultural operation, or any operation that discharges other than Domestic Wastewater.

Sec. 6-19.434 Installation Permit

A document issued by DEH that conveys approval of and sets forth applicable conditions for construction, installation, replacement, enlargement, repair, modification or abandonment a System, or of System components. The Installation Permit may also be referred to as the construction permit.

Sec. 6-19.435 Land Use Project

A development project requiring a land use entitlement, including, but not limited to, tentative maps, use permits, variances, site plan review, and lot line adjustments, which is implemented through the County of Yolo or City within Yolo County. Land Use Projects requiring conditions from this Chapter and the Manual shall be regulated by the Director of Environmental Health. Other County City requirements have separate processes and requirements.

Sec. 6-19.436 Large System

A Large System is a System with a design flow greater than 1,500 gallons per day.

Sec. 6-19.437 Lot

A legally recognized and defined piece of land that can be sold individually, as described on an instrument or map recorded or filed with the County Recorder. A Lot may also be referred to as parcel. Public road easements on Lots should be excluded from the Lot for the purpose of locating a System.

Sec. 6-19.438 Manual

See Onsite Wastewater Treatment System Manual.

Sec. 6-19.439 Minimum Useable Wastewater Dispersal Area (MUWDA)

The amount of useable ground surface, expressed in square feet that is required when creating new lots or parcels in the tentative or parcel map process. The amount of land area is based on the site specific information obtained through Site Evaluation .

Sec. 6-19.440 Non-Discharging Wastewater Disposal Unit

A self-contained, watertight container designed to hold Wastewater until it is pumped and/or cleaned. A Non-Discharging Wastewater Disposal Unit includes but is not limited to a Holding Tank, Vault Privy, Portable Toilet, and Waterless Toilet.

Sec. 6-19.441 Onsite Wastewater Treatment System (System)

A Wastewater disposal facility that includes tanks, piping, treatment devices or other facilities that convey, store, treat or dispose of Wastewater located on the property where it originates or an adjacent or nearby property under the control of the user which is not connected to a Public Sewer System. This definition includes the designated Replacement Area necessary for System repairs. Onsite Wastewater Treatment System does not include Graywater Systems pursuant to Health and Safety Code Section 17922.12, Non-Discharging Wastewater Disposal Units, and Public Sewer System(s).

An Onsite Wastewater Treatment System may be referred to as System in this Chapter. It may also be referred to as a Septic System, Wastewater System or OWTS in references, supporting documents and Manuals.

Sec. 6-19.442 Onsite Wastewater Treatment System Manual (Manual)

The document developed, maintained, and amended by DEH, containing policy, procedural and technical details for implementation of this Chapter, as prescribed by the Director of Environmental Health, as approved by the Central Valley Regional Water Quality Control Board and adopted by resolution of the Board of Supervisors of Yolo County. It is referred to as Manual in this Chapter.

Sec. 6-19.443 Onsite Wastewater Treatment System Policy (OWTS Policy)

The Water Quality Control Policy for Siting, Design, Operation and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy), adopted by the State Water Resources Control Board, took effective on May 13, 2013. The OWTS Policy establishes a statewide, risk-based, tiered approach for regulation and management of System installations and replacements. The purpose of the Policy is to allow the continued use of Systems while protecting water quality and public health.

Sec. 6-19.444 Operating Permit

The administrative document issued by DEH that authorizes the initial and/or continued use of an Alternative System in conformance with the provisions of the Ordinance and Manual, intended to aid in verification of the adequacy of the System performance and that may contain both general and specific conditions of use. An Operating Permit may also be required for circumstances other than an Alternative System as provided in this Chapter or where, in the opinion of the Director of Environmental Health, the type, size, location, strength of Effluent or other details of a particular System and/or Wastewater activity warrant the additional level of oversight provided by an Operating Permit.

Sec. 6-19.445 Operation, Maintenance and Monitoring (OM&M) Program

A program that encourages or requires regular inspections, monitoring, and/or service to Systems, Non-Discharging Wastewater Disposal Units, and Graywater Systems as delineated in the Manual to ensure long-term performance, and Groundwater and public health protection.

Sec. 6-19.446 Owner

Any Person who alone, or with others:

(a) Has legal title to any single Lot, dwelling, dwelling unit, or commercial facility, or an easement, sufficiently to allow installation and maintenance of the System; or

(b) Has care, charge, or control of any real property as Applicant, executor, executrix, administrator, trustee or guardian of the estate of the holder of legal title.

Sec. 6-19.447 Percolation Test

A method of testing water absorption of the Soil. The test is conducted with clean water and test results can be used to establish a Dispersal System Design. Percolation Tests shall be conducted as provided in the Manual or as specified by DEH.

Sec. 6-19.448 Person

Any individual, firm, association, organization, partnership, corporation, business trust, company, state agency or department, or unit of local government who is, or that is, subject to this Chapter, the Manual and all the permit conditions.

Sec. 6-19.449 Portable Toilet:

Any self-contained chemical toilet facility that is housed within a Portable Toilet shelter. The Portable Toilet has no direct water connection and is a Non-Discharging Wastewater Disposal Unit.

Sec. 6-19.450 Public Nuisance

“Public Nuisance” shall include but not be limited to, anything which:

(a) Is injurious to public health or is indecent or offensive to the senses or any obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property; and

(b) Affects at the same time the public, a community or neighborhood, or any number of Persons, although the extent of the annoyance or damage inflicted upon individuals may be different or unequal; and

(c) Is an attractive nuisance which may prove detrimental to children or others, whether in a building, on the premises of a building, or upon an unoccupied Lot. This includes any abandoned wells or shafts, Failing System, abandoned System, Cesspool, Seepage Pit, System installed without an Installation Permit; and

(d) Is dangerous to human life or is detrimental to health, as determined by the Director of Environmental Health; and

(e) Inadequate or unsanitary or unapproved sewage or plumbing facilities.

Sec. 6-19.451 Public Sewer System

Any sewer system constructed, installed, maintained, operated and owned by or for a municipality or public entity established for sewage dispersal purposes.

Sec. 6-19.452 Public Water System:

A system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least fifteen service connections or regularly serves at least twenty-five individuals, as defined Part 12, Chapter 4, Section 116275 of the California Health and Safety Code.

Sec. 6-19.453 Qualified System Designer

A person who possesses knowledge, skills and experience in System design and who is qualified to perform professional engineering in accordance with Section 6731 of the Business and Professions Code; or who is licensed as a California Registered Environmental Health Specialist. Notwithstanding Section 6731 of the Business and Professions Code, a California Registered Geologist that has experience designing Systems in Yolo County prior to the effective date of this Ordinance may continue to design Systems with the approval of the Director of Environmental Health, provided however the California Registered Geologist bases the System design on specifications found in the Manual and engineering design specifications provided by manufacturers of System components.

Sec. 6-19.454 Qualified Professional

An individual licensed or certified by the State of California and who has been approved by DEH to perform Site Evaluations and to practice as an expert as allowed under their license or registration and as demonstrated by their possession of knowledge, and skills of soils; and Systems siting, design and installation. Depending on the work to be performed and various licensing and registration requirements within the provisions of the California Business and Professions code, this shall include an individual with one or more of the following credentials:

- (a) California Certified Engineering Geologist
- (b) California Registered Professional Engineer
- (c) California Registered Environmental Health Specialist
- (d) California Registered Geologist

For the purpose of performing site evaluations, Soil Scientists certified by the Soil Science Society of America are considered as Qualified Professionals.

Sec. 6-19.455 Regional Water Quality Control Board

The California Regional Water Quality Control Boards (RWQCB) designated by Water Code Section 13200, which have authority for adopting, implementing and enforcing water quality control plans (also called basin plans) which set forth the State's water quality standards and the objectives or criteria necessary to protect those Beneficial Uses. The Central Valley RWQCB has jurisdiction over Yolo County.

Sec. 6-19.456 Replacement Area

An area of land dedicated for replacement of an entire System upon its failure.

Sec. 6-19.457 Seepage Pit

A drilled or dug excavation, three to six feet in diameter, and typically fifteen (15) to thirty-five (35) feet in depth either lined or gravel filled, that receives the Effluent discharge from a Septic Tank or other System treatment unit for disposal of Effluent.

Sec. 6-19.458 Septage

Materials accumulated in Septic Tanks, Cesspools, Vault Privies, Portable Toilets, Holding Tanks, Waterless Toilets, or any other sewage holding apparatus that receives bodily waste or Wastewater from plumbing fixtures. Septage does not include sewage sludge from Public Sewer System.

Sec. 6-19.459 Septage Pumper

A Person with an active approved Septage Pumper Permit issued by the Director of Environmental Health pursuant to California Health and Safety Code section 117400 et seq., who is qualified to pump and haul waste from Septic Tanks, chemical toilets, Cesspools, sewage Seepage Pits, chemical toilets, Waterless Toilets, or other sewage containments.

Sec. 6-19.460 Septic Tank

A watertight receptacle which receives sewage from a building or structure, that functions to separate solids from liquids, retains and digests organic matter and discharges the resulting Effluent to a second treatment unit or to a Soil disposal area.

Sec. 6-19.461 Service Provider

An individual approved by DEH to perform or conduct oversight of inspections, maintenance and monitoring of Systems operating under the Operation, Monitoring and Maintenance (OM & M) Program. Service Providers shall be approved by DEH and possess knowledge, and skills of Systems and possess one or more of the credentials required of a Qualified Professional, or Contractor as defined in this Chapter. In addition,

demonstration of proper training from equipment manufacturers/distributors and/or certification from an appropriate professional organization may be required.

Sec. 6-19.462 Site Evaluation

An assessment of the characteristics of a lot sufficient to determine its suitability for the installation and sustainability of a System meeting the requirements of this Chapter and the Manual. The Site Evaluation shall be in accordance with procedure and criteria contained in this Chapter. The Site Evaluation shall take into consideration the public and environmental health aspects relating to the installation and operation of a System, including but not limited to, soil texture, soil percolation rate (if a Percolation test is performed), depth to groundwater, distance from natural land features and structures, site topography, and usable space for the installation and repair of the System.

Sec. 6-19.463 Site Evaluation Report

A report prepared by a Qualified Professional that includes all information obtained from a Site Evaluation.

Sec. 6-19.464 Site Map Review

An assessment of the surface features and/or Soil characteristics as referenced in USDA Soil maps which approved a Lot as suitable for a System installation prior to the effective date of this Ordinance.

Sec. 6-19.465 Slope

The rise or fall in feet per one hundred (100) feet of horizontal distance. Slope is expressed as a percent of grade. For example: a land surface at a 45 degree angle has a Slope of 100%.

Sec. 6-19.466 Soil

The naturally occurring body of porous mineral and organic materials on the land surface, which is composed of unconsolidated materials, including sand-sized, silt-sized, and clay-sized particles mixed with varying amounts of larger fragments and organic material. The various combinations of particles differentiate specific Soil Textures identified in the Soil textural triangle developed by the United States Department of Agricultural (USDA). For the purposes of this Ordinance, Soil shall contain earthen material of particles small than 0.08 inches (2 mm) in size.

Sec. 6-19.467 Soil Texture

The relative proportions of Soil separates in a Soil as described by the twelve (12) classes of Soil Texture as defined by the United States Department of Agriculture.

Sec. 6-19.468 Standard System

A System comprised of a Septic Tank and a gravity-fed Dispersal System which includes Trenches installed in approved undisturbed native Soil. Effluent will flow to the trenches by gravity, or may be pumped to the first distribution box of the Dispersal Field.

Sec. 6-19.469 Subdivision.

“Subdivision” shall mean a Subdivision as defined by the Subdivision Map Act of the State (Government Code Section 66410 et seq).

Sec. 6-19.470 Substandard Tank

Any tank constructed of wood or brick, or any tank which is deteriorated to an extent that it cannot effectively hold and or treat Wastewater, or because of its condition poses a threat to health or safety.

Sec. 6-19.471 Supplemental Treatment

A Supplemental Treatment Unit or engineered System used to perform additional Wastewater treatment functions, beyond that provided by a Standard System, and capable of reliably producing Wastewater Effluent of secondary quality or better, prior to discharge to the Dispersal System. For purposes of this Chapter, secondary quality is defined as Effluent meeting 30-day average concentration limits of 30 mg/L for biological oxygen demand and 30 mg/L for total suspended solids. If the Supplemental Treatment is for the purpose of nitrogen reduction, the Supplemental Treatment is defined as meeting a 50 percent reduction in total nitrogen when comparing the 30-day average influent to the 30-day average Effluent.

Sec. 6-19.472 Supplemental Treatment Unit

Alternative System listed by National Sanitation Foundation (NSF) and certified by NSF as meeting NSF Standard 40, NSF Standard 245 or equivalent, is designed to provide enhanced treatment over that which would be provided by a Standard System, and that produces Effluent meeting a predetermined performance requirement as specified in this Chapter and in the Manual, prior to dispersal into the Dispersal Field. An independent third party testing and listing agency which provides equivalent services as compared to NSF for testing and continuous quality control and consumer complaint response may be used in lieu of NSF upon the approval of the Director of Environmental Health.

Sec. 6-19.473 System

See Onsite Wastewater Treatment System

Sec. 6-19.474 System Design

A System installation/construction plan prepared by a Qualified System Designer or Contractor based on the Site Evaluation Report.

Sec 6-19.475 Unstable Land Mass

Land prone to subsidence, erosion, or mass land movement as indicated by historical landslide events, published maps or reports, or evidence of characteristics such as surface rupture, scarps, creep or other irregularities in ground Slope conditions.

Sec. 6-19.476 Vault Privy

A Vault Privy is a structure used for disposal of human waste without the aid of water. It consists of a shelter built above a subsurface vault into which human waste falls. The Vault Privy has no water connection. A Vault Privy is a Non-Discharging Wastewater Disposal Unit.

Sec. 6-19.477 Vertical Separation

The depth of Effective Soil for Effluent filtration that exists between the bottom of a Dispersal Field and the restrictive or limiting layer or feature including, but not limited to:

- (a) Permanent or seasonal Groundwater level; or
- (b) Consolidated Soil with insufficient permeability or porosity to provide Wastewater treatment; or
- (c) Fractured rock with excessive permeability that would not provide effective Wastewater treatment; or
- (d) Soils determined to be limiting as defined in the Manual.

Sec. 6-19.478 Wastewater

Wastewater includes “blackwater” or “Graywater”

- (a) Blackwater means Wastewater contaminated with human or kitchen wastes, generally originating from toilets and kitchen sinks. It includes, but is not limited to, Wastewater discharges from kitchen sinks, garbage grinders, water closets, toilets, urinals or similar fixtures alone or in combination with other Wastewater.
- (b) Graywater: Pursuant to Health and Safety Code Section 17922.12, Graywater means untreated wastewater that has not been contaminated by any toilet discharge, and has not been affected by infectious, contaminated, or unhealthy bodily wastes, and does not present a threat from contamination by unhealthful processing, manufacturing, or operating wastes. Graywater includes but is not limited to wastewater from bathtubs,

showers, bathroom washbasins, clothes washing machines, and laundry tubs. Graywater includes “dark graywater,” which means Wastewater from kitchen sinks or dishwashers.

Sec 6-19.479 Watercourse

A definite channel with bed and banks within which water flows perennially, including overflow channels contiguous to the main channel. A Watercourse may be either a natural or man-made channel. For purposes of this Chapter, Watercourse also includes water bodies such as ponds, lakes, marshes, seasonal wetlands and tidal waters.

Sec. 6-19.480 Waterless toilet

A composting toilet, incinerating toilet or similar device for the holding and processing of Wastewater from a toilet. A Waterless Toilet is a Non-Discharging Wastewater Disposal Unit.

Article 5: Onsite Wastewater Treatment System Manual

Sec. 6-19.501 Manual

The Manual shall govern the siting, design, installation, component quality, operation, monitoring, and maintenance of Systems, Graywater Systems, and Non-Discharging Wastewater Disposal Units in Yolo County, and provide administrative procedures for the implementation of this Chapter. The Manual shall be adopted by Resolution of the Yolo County Board of Supervisors. When changes are proposed to the Manual, DEH shall provide a reasonable process for seeking input from the affected public, and the changes shall be presented to the Yolo County Board of Supervisors as an amending Resolution.

Sec. 6-19.502 Wastewater Application Rates and Septic Tank Size

Requirements for maximum Wastewater application rates and minimum Septic Tank size shall be as is provided in the Manual.

Article 6: General Requirements

Sec. 6-19.601 General Requirements

(a) Every residence, place of business, or other building, or place where Persons congregate, reside, or are employed, and which cannot be connected to a Public Sewer System, must be provided with a means of disposal of human excreta, either by water flush toilet connected to an Onsite Wastewater Treatment System that meets the requirements of this Chapter, or in special circumstances, and when in the opinion of the Director of Environmental Health it is advisable, a Non-Discharging Wastewater Disposal Unit that meets the requirements of this Chapter.

(b) Every building, structure, or appurtenance that contains one or more waste producing fixtures such as toilets, sinks, showers or baths, clothes washing machines, dish washing machines, animal wash pads, floor drains or other fixture or fitting intended to drain organic or inorganic waste material must be connected to a Public Sewer System or an approved means of Wastewater disposal that meets the requirements of this Chapter.

(c) Design, application, construction, operation, maintenance and monitoring of any System shall meet the requirements prescribed by this Chapter and the rules, regulations and guidelines contained in the Manual.

(d) No Building Permit, grading permit or entitlement for other work shall be issued where the proposed work might impact an existing, proposed System and future Replacement Area without first obtaining approval from DEH.

(e) Fees for Installation Permits, Operating Permits, Site Evaluations, and other entitlements or service requests related to requirements of this Chapter shall be an amount established by resolution of the Board of Supervisors and are due and payable at time of application.

(f) Subject to local zoning restrictions and Planning Division approval, multiple buildings on the same or separate Lots may be served by a common System, termed either a Cluster System or Community System, provided the System meets the minimum requirements contained in this Chapter and the Manual.

(g) The Director of Environmental Health shall have the authority to issue variances to provisions set forth in the Manual in addition to where explicitly allowed in this Ordinance.

Sec. 6-19.602 System Subjected to California Central Valley Regional Water Quality Control Board Waste Discharge Requirements

Review and approval by the California Central Valley Regional Water Quality Control Board (CVRWQCB) is required for a System in cases where the System

(a) Has an estimated flow of more than ten thousand (10,000) gallons per day; or

(b) Receives High Strength Wastewater, unless the waste stream is from a commercial food service building; or

(c) Receives High Strength Wastewater from a commercial food service building with a Biological Oxygen Demand of higher than 900 mg/L, or that does not have a properly sized and functioning oil/grease interceptor; or

(d) Receives a significant portion of Recreational Vehicle (RV)_Holding Tank Wastewater such as RV dump stations; or

(e) Is a Public Sewer Systems, or

(f) Is otherwise determined by the Director of Environmental Health to require review by the CVRWQCB.

Sec. 6-19.603 Requirements for System Contractor

(a) No Person may install, construct, enlarge, replace, repair, modify or abandon a System pursuant to this Chapter unless the Person is a Contractor as defined in this Chapter, except as provided in Section 6-19.603(b).

(b) In the case of a Standard System, the property Owner may construct or repair the System on his/her own property, provided:

(1) For new construction or Major Repair, the design plans must be prepared and stamped by a Qualified System Designer; and

(2) An Installation Permit is obtained and Persons hired by the Owner to do the work must comply with section 6-19.603(a); or Persons hired by the Owner must be hired as employees of the Owner and the Owner must provide worker's compensation insurance, as required by law.

Sec. 6-19.604 Permits

(a) Installation Permit

(1) No Person may install, construct, enlarge, replace, repair, modify or abandon any System without first submitting plans to the Director of Environmental Health for approval and obtaining an Installation Permit pursuant to the requirements of this Chapter.

(2) Installation Permits shall remain valid for a period of twelve (12) months from the date initially issued if all original site conditions exist.

(3) The issued Installation Permit may be renewed one time if additional time is required to complete the construction. The fee to renew the permit shall be one-half (1/2) of the current amount required for a new permit for such work. The renewal request must be made prior to the expiration of the permit. The Permit considered for renewal may require review to ensure that there have not been significant changes in technology, knowledge or regulation that may affect the design of the System and require design modifications. Permit renewal procedures shall be followed per the Manual.

(4) The Installation Permit shall expire and be non-renewable 24 months after the date of original issuance.

(5) The permit may be transferred to a new property Owner or Contractor provided all other information on the application remains the same. The original fee-payer must approve the transfer of any paid fees to the new permit holder in writing.

(6) The Director of Environmental Health may revoke a permit or approval issued by DEH pursuant to this Chapter in case of any false statement, omission, or misrepresentation of fact in the application or on the plans on which the permit or approval was based; or the Lot has been substantially affected by natural or man-made alterations which could affect the System Design or installation.

(7) The Director of Environmental Health may deny a permit renewal or request additional information if in the opinion of the Director the Site Map Review or Site Evaluation did not adequately assess the site conditions and suitability of System Design or installation.

(b) Operating Permits

(1) In addition to an Installation Permit, an Operating Permit may be required for an Alternative System and Non-Discharging Wastewater Disposal Unit or where, in the opinion of the Director of Environmental Health, the type, size, location or other aspects of a particular System warrant the additional level of oversight provided by an Operating Permit.

(2) Owners of Systems or units that require an Operating Permit shall record the following information on the property deed for the benefit of future owners and successors;

- i. Notice of the requirement for an Operating Permit, including all Operating Permit conditions; and
- ii. Reissuance of Operating Permit to New Owners; and
- iii. Notices of withdrawal of any Operating Permit

(c) Exceptions

(1) A permit is not required to clear stoppages in pipes, provided the System is undisturbed;

(2) A permit is not required for cleaning of Septic Tank, dosing tank, interceptor, Holding Tank, or other sewage receptacle that is pumped or cleaned by a Septage Pumper that has a valid Septage Pumper permit in Yolo County;

(3) A permit is not required to expose portion of the System for purpose of evaluating its performance or operation, provided the System is not damaged, altered, modified, or repair as part of the evaluation;

(4) A permit is not required to add or replace the following components to a System, provided the property Owner or Contractor notified DEH in writing that the modification was made:

- i. Risers and/or lids to a Septic Tank if the Septic Tank is not located in an area that is subject to vehicular traffic;
- ii. Effluent filter;

(5) A permit is not required to replace the following components to a System, provided the property Owner or Contractor notified DEH in writing that the modification was made:

- i. Sanitary tees, joints, and solid (non-perforated) pipe located upstream to the leach trench;
- ii. Distribution boxes.
- iii. Mechanical components that are like-for-like, such as float switches, electrical boxes, pumps and blowers.

Nothing in Section 6-19.604 (c) shall provide an exemption from the material, structural, installation and performance requirements of this Chapter.

Sec. 6-19.605 Requirements for Site Evaluation

(a) A Site Evaluation shall be required on every existing or proposed Lot prior to obtaining a System Installation Permit unless waived by the Director of Environmental Health. The Site Evaluation shall be conducted as described in the Manual.

(b) The Site Evaluation will examine several factors for approval of a System including, but not limited to, ground Slope, Soil textural characteristics, Effective Soil depth, percolation rate, horizontal setbacks, and available area for one hundred percent System replacement.

(c) The Site Evaluation shall be conducted by the Applicant's Qualified Professional in coordination with DEH so that DEH personnel may be present for any facet of testing in the evaluation process.

(d) DEH may require that the Site Evaluation be conducted during high rainfall period of the year as described in the Manual in order to determine the maximum fluctuation of depth to Groundwater below the surface of the ground prior to approving a site for feasibility or construction of the System.

(e) DEH may require a new Site Evaluation or other Soil testing if it determines that prior Site Evaluation approvals were based on testing and/or reporting that was incomplete, insufficient, or incompatible with known information of a given area, or for a site where subsequent excavation or other activities may have altered the suitability of the Lot for accommodating the System.

(f) An approved Site Map Review for installation of a System completed prior to the effective date of this ordinance shall expire on May 12, 2018 and shall be unacceptable for purposes of issuing a System Installation Permit after that date unless the review included a site specific evaluation substantially equivalent to a Site Evaluation as defined and described in this Chapter and the Manual; and the submitted System Design meets the currently adopted standards of this Chapter and the Manual. For Site Map Reviews which were completed prior to the effective date of this Chapter, the Director of Environmental Health may require a resubmittal of System Design that meets the purpose and intent of this Chapter to protect water quality and public health, including but not limited to requirements for a Site Evaluation, Supplemental Treatment and an Operating Permit, where warranted.

Sec. 6-19.606 Requirements for Siting, Design, Operation and Maintenance

(a) The System must be installed in accordance with the approved System Installation Permit, approved System Design and any Permit conditions. Any changes in the installation plans must be reviewed and approved by DEH prior to installation. An As-Built Drawing shall be submitted prior to Final Approval to record the final installation location of the System. The As-Built Drawing shall meet the requirements described in the Manual.

(b) Every System approved after the effective date of this Chapter shall be subject to the Operation, Maintenance, and Monitoring Program as specified in the Manual.

(c) Except where a two-hundred (200) percent Replacement Area is required, a Replacement Area of one-hundred (100) percent of the System shall be reserved for the System repair and/or replacement as described in the Manual. The Replacement Area shall be indicated on the site map and As-Built drawing and shall remain undeveloped, protected from compaction, protected from vehicular traffic, and shall otherwise remain free of conditions that would make it unsuitable as a future Replacement Area.

(d) The System and System components must be located to be easily accessible for maintenance and repairs.

(e) New and replacement System Septic Tanks shall be limited to those approved by the International Association of Plumbing and Mechanical Officials (IAPMO) or stamped

and certified by a California Registered Civil Engineer as meeting the industry standards, and their installation shall be according to the manufacturer's instructions.

(f) For purposes of System sizing, any room that could be used as a Bedroom or Potential Sleeping Room may be assumed to be a Bedroom regardless of if it contains a closet or is labeled otherwise.

(g) Except for Community Systems, the System shall be located on the same Lot as the building(s) being served is located. The Director of Environmental Health has the authority to make an exception to this requirement in special situations where due to necessary System repair or replacement an existing dwelling lacks available space on the Lot to accommodate a System. In this case a legal easement may be obtained on an adjoining property for purposes of accommodating the replacement System.

(h) The System Contractor and/or Qualified Professional shall provide the System Owner with informational materials to inform the System Owner about how to locate, operate and maintain the System. The informational material shall also include procedures for the Owner in the event of a needed repair, replacement of a component of the System, or System failure. If the System is on a Lot with a water well, the informational material shall also include information on testing the well water for indications of System failure.

(1) Any informational material specific to a System shall be provided to the Owner by the Qualified Professional and/or the Contractor, with a copy provided to DEH.

(2) Final approval of the System installation shall be contingent upon confirmation by DEH that required informational materials have been provided.

(i) All Cluster Systems are subject to the Operating Permit requirements as provided in the Manual. A Cluster System may require a dual Dispersal Field according to the System designer's specifications. Cluster Systems shall be required to reserve two Replacement Areas. If the Cluster System is a Large System as defined in this Chapter, additional requirements for siting, design, operation and maintenance of Large Systems as specified in the Manual shall also apply.

(j) All Community Systems shall demonstrate financial viability and assurance to operate, maintain and replace the System at any and all times. Community Systems may be required to install dual Dispersal Fields according to the System designer's specifications. Community Systems shall be required to reserve a Replacement Area that equals at least two-hundred (200) percent of the size of the installed System. The System shall be owned and managed by a homeowner's association or similar. The Owner may be required to bond or deposit restricted funds for purposes of demonstrating financial viability for System maintenance, repair or replacement. Prior to Final Approval documentation to the

satisfaction of the Director of Environmental Health shall be provided that demonstrate legally recorded easements, agreements, established and funded common interest development (e.g. homeowners association), service provider agreements, Operating Permit and proof of financial assurances. All Community Systems shall obtain an Operating Permit and be required to perform regular monitoring, maintenance, and reporting of System performance. If the Community System is a Large System as defined in this Chapter, additional requirements for siting, design, operation and maintenance of Large Systems as specified in the Manual shall also apply.

(k) Owners of Systems shall maintain their System in good working condition including conducting regular inspections, and pumping or cleaning of solids as necessary to maintain proper function and assure adequate Wastewater treatment.

Sec. 6-19.607 Approved Sewage Disposal Required

No Building Permit may be issued for any building containing Wastewater producing fixtures that is not to be connected to an approved Public Sewer System without written approval to install a System by DEH.

Sec. 6-19.608 General Requirements for Building Permit Application Using Existing System

No Building Permit shall be issued for an addition, alteration, replacement, repair or destruction of any building or structure served by a System, without review and approval of DEH.

Sec. 6-19.609 General Requirements for Business License Application Using Existing System

Unless waived by the Director of Environmental Health, no business license shall be issued for a business served by a System, without review and approval of DEH.

Sec. 6-19.610 Prohibitions

(a) No Person shall construct, operate or maintain a System that does not comply with the applicable requirements specified in this Chapter, the Installation Permit, the Operating Permit or the Manual.

(b) No Person shall connect any structure, vehicle or mobile home to the System without prior approval of DEH.

(c) No Person shall treat or discharge anything other than what is specifically described as Domestic Wastewater in this Chapter, into any System.

(d) No Person shall operate a System constructed after the effective date of this Chapter that was not installed in accordance with this Chapter and the Manual; and any other conditions placed on the Installation Permit.

(e) No Person shall maintain or operate the System for which DEH has issued an order to abandon the System.

(f) No Person shall operate or use a Failing System.

(g) Unless otherwise specified in this Chapter and in the Manual, no Person shall maintain or operate a Holding Tank, or Vault Privy, except for non-residential and non-commercial limited-use applications, such as primitive-type picnic grounds, campsites, and recreation areas where a System is not feasible, as determined by DEH. Portable toilets may be used on a temporary basis for the events of a short duration, for agricultural purposes, and at construction sites according to the provisions specified in the Manual.

(i) No System shall be constructed with the intent to connect it to five (5) or more dwelling units constructed on a single Lot of real property.

(j) Areas of filled or imported Soil or unstable Soil formations shall not be used for a System Dispersal Field or Replacement Area. The Dispersal Field shall be located and installed in natural, undisturbed, and unobstructed ground or earth. This limitation does not apply to engineered fill as provided in the Manual.

(k) No System shall be approved that utilizes any form of Effluent disposal that discharges on or above the post installation ground surface such as sprinklers, exposed drip lines, free-surface wetlands, or a pond.

(l) No System shall be installed in Slopes greater than 30% without a Geotechnical Report prepared by a California Registered Geotechnical Engineer

(m) No System utilizing Supplemental Treatment shall be allowed after the effective date of this ordinance which does not maintain an Operating Permit requiring periodic monitoring and inspections.

(n) No System shall be allowed which is dedicated to receiving significant amounts of wastes dumped from RV holding tanks.

(o) No System shall be approved where the separation of the bottom of the Dispersal Field to the high seasonal Groundwater is less than two (2) feet.

(p) No Dispersal Field or Replacement Area(s) shall be covered by an impermeable surface, such as paving, concrete, asphalt, building foundation slabs, plastic sheeting, or any other material that prevents oxygen transfer to the soil.

(q) No Dispersal System shall be subject to activities that result in compaction, or potential damage such as vehicular traffic, large animal enclosure, grading, and placement of paving or building structures.

(r) No System shall be approved within the minimum setbacks to a flood control levee without approval from the agency having jurisdiction to allow installation within the setback.

(s) No System shall be installed in areas subject to flooding unless it is designed per provisions described in the Manual.

Sec. 6-19.611 Minimum Horizontal Setbacks:

The minimum horizontal separation between the components of the System, including the Replacement Area and site features, shall meet the minimum horizontal setbacks as provided in the Manual. In certain situations the Director of Environmental Health may grant a reduction for a minimum setback under the Variance provisions found in the Manual. In cases of allowances for reduced setbacks, the minimum horizontal setback distance shall be met to the greatest extent possible and where required to protect the water quality. Supplemental Treatment and/or other mitigation may be required to allow reduction of setback distances.

Sec 6-19.612 Minimum Vertical Setbacks

The vertical setback is the distance measured from the bottom of dispersal trench to the seasonal high Groundwater level, fractured rock, or other limiting layer. Soil textural classification should be considered the primary data source for System sizing. Percolation tests may be allowed or required to supplement Soil textural classification. When determining Soil textural classification, the least permeable layer below the point of dispersal shall be used in determining the vertical setback. Minimum Vertical Setback distances are provided in the Manual.

Where Supplemental System is utilized, minimum vertical setback may be reduced from the requirements that apply to Standard Systems as provided in the Manual.

Sec. 6-19.613 Construction Inspections

(a) The Applicant shall grant DEH access to the property for purposes of inspecting a System in accordance with the requirements of this Chapter, the Manual, and/or with any conditions specified on the Installation Permit or Operating Permit.

(b) A stamped copy of the approved System Installation Permit must be kept available at the jobsite during the System installation and until the System passes final inspection.

(c) In the case of an Owner installed System, additional inspections may be required to assure proper installation of the System.

(d) In the case of a System subject to an Operating Permit, the Service Provider may be required to attend the final inspection.

Sec. 6-19.614 Unauthorized Work

Upon notice from the Director of Environmental Health, any work on a System that is being conducted in violation of this Chapter, or in an unsafe or dangerous manner, must stop immediately.

Sec. 6-19.615 Abatement

A Failing System shall be immediately abated. To every extent possible, a Failing System must be brought into compliance with this Code. In case of any failure, malfunction, or breakdown of any System, if not corrected within a time designated by the Director of Environmental Health, the Director of Environmental Health may order or cause corrections to be made and bill the property Owner for the costs and may place a lien on the property for the abatement costs. The Director of Environmental Health may condemn the property and order the premises to be vacated if no safe manner of abatement is possible.

Sec. 6-19.616 Required Notification of System Failure

Where a Failing System may affect or possibly did affect a drinking water well, the owners of possibly affected water wells will be notified of such at the expense of the owner of the Failing System. DEH shall notify the Owner of any Public Water System or public water source intake, and the Central Valley Regional Water Quality Control Board as soon as practicable, but no later than 72 hours, upon the discovery of a Failing System as defined and within the following setbacks:

- (a) One-hundred fifty (150) feet from a Public Water System; or
- (b) Four-hundred (400) feet from the high water mark of a Watercourse where a Public Water System intake is within 1,200 feet downstream of the System; or
- (c) Two-hundred (200) feet from the high water mark of a Watercourse where a Public Water System intake is with 1,200 to 2,500 feet downstream of the System, or two-hundred (200) feet upstream of the failed System; or
- (d) Any situation where in the opinion of the Director of Environmental Health the System failure could impact drinking water quality of a Public Water System.

Sec. 6-19.617 Required Notification of a System Installation

DEH shall provide a copy of the System permit application to the owner of a Public Water System if the proposed System is one of the following:

- (a) The proposed System installation is within 1,200 feet of an intake point for a surface water treatment plant for drinking water; or
- (b) The proposed System is in the drainage catchment in which the intake point is located; or
- (c) The proposed System location is such that it may impact water quality at the intake point such as being upstream of the intake point for a flowing water body.

If the owner of the Public Water System cannot be identified, DEH will notify Division of Drinking Water of the State Water Resources Control Board.

The Public Water System shall have 15 days from receipt of the permit application to provide recommendations and comments to the DEH regarding the proposed System.

Sec. 6-19.618 Abandoned System

Every System that has been abandoned or has been discontinued from further use or to which no waste or waste discharge pipe from a plumbing fixture is connected must be destroyed under permit and as specified in the Manual.

Sec. 6-19.619 Refusal to Finalize Building Permit for Occupancy

(a) No building permit shall be finalized for occupancy, nor shall any Certificate of Occupancy be issued for any building that is not connected to an approved Public Sewer System or a System as defined in this Chapter without written approval of the Director of Environmental Health.

(b) No Person may occupy or otherwise use any premises or building that has not been connected to an approved Public Sewer System or System as defined in this Chapter, unless DEH has approved the method of sewage dispersal.

Sec. 6-19.620 Cesspools; Seepage Pits, and Substandard Tanks

No Person shall construct, install, use, or continue to allow in existence any Cesspool, seepage pit, or Substandard Tank intended to hold or treat sewage.

Sec. 6-19.621 Holding Tanks; Portable Toilets; Vault Privy

Holding Tanks, Portable Toilets and Vault Privies are subject to specific siting criteria as specified in the Manual.

Sec. 6-19.622 Cumulative Impacts

Where Systems may have Cumulative Impacts on Groundwater and/or watershed conditions due to such factors as the constituent levels (e.g., nitrogen content) in the Wastewater, the volume of Wastewater flow, the density of the System discharges in a given area, and/or the sensitivity and Beneficial Uses of water resources in the discharge area, the Director of Environmental Health may require additional technical studies (termed “Cumulative Impact Assessment in the Manual”) or other information demonstrating to the satisfaction of the Director of Environmental Health, that use of the proposed System(s) will not create adverse cumulative effects on water quality, public health or safety. A Cumulative Impact Assessment shall be required for any proposed Subdivision with an average lot size less than one (1) acre and any proposed Large System as defined. It is also required for proposed multi-unit residential projects with three or more units on the same parcel and proposed nonresidential Systems where the wastewater design flow is 1,500 gallons per day or more. In all cases, such Cumulative Impact studies will be conducted in accordance with the Manual.

Sec. 6-19.623 Property Improvements and System Expansion

Unless waived by the Director of Environmental Health, the following shall be required when work is performed on a Lot where an approved System exists on the Lot.

- (a) Where proposed construction associated with an existing structure will require System Expansion due to an increase in the number of Bedrooms or Potential Sleeping Rooms for a residential property, or increase in estimated Wastewater flow for a non-residential property, as a condition of Building Permit approval for the proposed construction, the System must meet the minimum prevailing requirements of this Chapter and the Manual.
- (b) Where proposed construction associated with an existing or proposed structure on the Lot will not require System Expansion, prior to Building Permit issuance the work shall be determined to be outside the minimum setbacks of the System and the System shall be determined to be functioning properly to the satisfaction of DEH. If repairs or improvements are required for the System to function properly the work shall be required as a condition of approval of the associated Building Permit.
- (c) Where improvements and/or Expansion of the System is required pursuant to this Section, but the required work cannot be made, the Director of Environmental Health will disallow the application and any associated Building Permit shall not be issued.
- (d) Where the existing System does not meet requirements of this Chapter, but is functioning safely and cannot be improved, construction will be limited to the remodeling or repair of the existing structure provided the proposed construction on structures served

by the System will not increase the number of Bedrooms or Potential Sleeping Rooms, or increase projected Wastewater flows; or limit the Replacement Area to less than 100% of the required size. For purposes of this Section repair means the reconstruction or renewal of any part of an existing building for the purposes of its maintenance. For purposes of this Section remodeling means renovating the existing structure, other than an addition of square footage to the structure.

(e) Where conditions are found on the property that require corrective action, such as an illegally installed System, Cesspool, abandoned well, unpermitted work, etc., these shall require correction as a condition of Building Permit approval.

Sec. 6-19.624 Replacement of the Dispersal Field

(a) Where any situation or circumstance requires the replacement of the Dispersal Field, the entire replacement System shall meet the minimum prevailing requirements of this Chapter and the Manual.

Article 7: Alternative System Requirements

Sec 6.19-701 Use of Alternative Systems

(a) Alternative System may be permitted by DEH for the repair or upgrading of any existing System and for new construction on any legally created Lot where it is determined that Wastewater cannot be disposed of in a sanitary manner by a Standard System.

(b) Types of Alternative Systems permitted shall be limited to those identified in Manual, except as provided in paragraph (d).

(c) All Supplemental Systems shall be installed by a Contractor. Where the installation includes a proprietary treatment system certified and listed by National Sanitation Foundation, the Contractor shall also possess any required manufacturer certifications, as applicable.

(d) Systems that are not included as a System type in the Manual, but that are proposed or installed as part of an active accredited university research project or field trial may be allowed with approval from DEH provided the System monitoring is performed by the university and the System(s) meet the minimum requirements of the OWTS Policy. Such System installation may require special contracts or memoranda of understanding to clarify requirements, to communicate what happens with the System at the end of the study or trial period, and requirements if the System fails.

Sec 6.19-702 Installation Permit and Review Requirements for Alternative Systems

(a) General requirements for Site Evaluation and for obtaining an Installation Permit are prescribed in Article 6 of this Chapter and in the Manual.

(b) An Alternative System design shall be prepared and signed or stamped by a Qualified System Designer. The Qualified System Designer shall also be responsible for inspections of the System installation to assure conformation with approved plans.

(c) System Design will be reviewed by DEH and, where warranted, such as due to the complexity of the System, DEH may refer the plans to the California Central Valley Regional Water Quality Control Board staff and/or external third-party expert consultant(s) for additional review, the costs for which would be the responsibility of the Applicant.

Sec. 6-19.703 Operation, Maintenance and Monitoring (OM&M) Requirements

(a) An OM&M program will be established by DEH to encourage or require inspection, monitoring, and/or service to Systems, including Standard and Alternative Systems, as delineated in the Manual to insure long-term performance, and Groundwater and public health protections. The OM&M program will be in accordance with guidelines in the Manual and may also incorporate specific recommendations of DEH, System consultant/designer, manufacturer, and/or Qualified Professional.

(b) Monitoring of Alternative Systems shall be conducted by or under the supervision of a qualified Service Provider unless otherwise provided in the Manual.

(c) The Director of Environmental Health may require third-party or County monitoring of any Supplemental System where deemed necessary because of special circumstances, such as the complexity of the System or the sensitive nature of the site. The costs for such additional monitoring are the responsibility of the Owner.

(d) Monitoring results shall be submitted to DEH in accordance with reporting guidelines provided in the Manual. DEH shall be notified immediately of any System problems observed during the System inspection and monitoring that could lead to the System failure.

(e) In addition to regular inspection and monitoring activities, the Director of Environmental Health may require inspections after significant events such as flood, seismic event and localized fire, etc. The Director of Environmental Health will be responsible for issuing appropriate notices when such inspections are required; those conducting the inspections shall report the inspection results to the Director of Environmental Health. The purpose of such inspections will be to assess and document any damage to the System and to implement corrective actions, as needed, in a timely manner.

Article 8: Non-Discharging Wastewater Disposal

Sec. 6-19.801

Non-Discharging Wastewater Disposal Units may be allowed under limited circumstances as provided in the Manual.

Sec. 6-19.802

Owners of Non-Discharging Wastewater Disposal Units approved after the adoption of this Ordinance shall maintain an Operating Permit, unless specifically exempted in the Manual.

Sec. 6-19.803

Owners of Non-Discharging Wastewater Disposal Units shall maintain the unit(s) in good working condition including conducting regular inspections, and pumping or cleaning of solids as necessary to maintain proper function and to prevent a nuisance or threat to public health.

Sec. 6-19.804

Setbacks for Non-Discharging Wastewater Disposal Units shall be the same as those specified in the Manual for Septic Tanks.

Article 9: Graywater Systems

Sec. 6-19.901 Graywater Systems

The provisions for Graywater Systems specified in the Uniform Plumbing Code, California, California Code of Regulations, Title 24, Part 5, Chapter 16A, Part 1 (Graywater Standards), are hereby adopted by reference and incorporated herein as minimum standards for Graywater Systems, unless otherwise specified in the Manual. The Division of Environmental Health shall be the permitting and enforcing agency for Graywater Systems in the unincorporated areas of Yolo County.

Article 10: Septage Pumping, Inspection, and Reporting Requirements

Sec. 6.19-1001 Permitting, Inspection and Reporting Requirements

This Article implements Health and Safety Code, Division 104, Part 13, Sections 117400-117590.

(a) Applicability: The provisions of this Article shall not apply to any city, town, county, sanitary district, sanitation district, sewer maintenance district, or to any agency or institution of the state or the federal government by reason of the cleaning of Septic

Tanks, Cesspools, chemical toilets, sewage Seepage Pits or sewage works which are owned and operated by any of such government agencies or institutions.

(b) Permit Required: It is unlawful for any Person, firm, corporation or institution to do any of the following without a valid Pumper Truck Permit issued by the Director of Environmental Health:

- (1) Pump Wastewater from Septic Tanks, Cesspools, grease traps, grease interceptors, Seepage Pits, Wastewater Holding Tanks, Wastewater ponds, or other Wastewater source; or
- (2) Clean Portable Toilets in a manner that produces Wastewater; or
- (3) Dispose of Wastewater in Yolo County that is collected from activities described in this Section.

Each Septage Pumper vehicle shall require a separate and individual Pumper Truck Permit. Each business that provides or services Portable Toilets requires a separate and individual Pumper Truck Permit.

(c) Permit Requirements: Prior to permit issuance the Applicant shall fill out the required application and any other forms as required by the Director of Environmental Health; the Applicant shall pay the required fee; DEH inspection shall demonstrate that the vehicle(s) are leak proof and meet the requirements of this Article; and the operator and employees shall demonstrate a satisfactory knowledge of sanitary practices, emergency and cleanup procedures, proper waste disposal, and general health protections necessary for handling and disposing of sewage.

(d) Permit Revocation: Any permit issued under this chapter may be revoked or suspended by the Director of Environmental Health for cause.

(e) Permit Fee: An application for a permit pursuant to this Article shall be accompanied by that fee established by resolution of the Board of Supervisors.

(f) Permit Term: The Permits issued pursuant to this Article shall be valid for a period of one year (12 months) from the date of issuance.

(g) Vehicle identification: The business name and phone number shall be permanently affixed on both sides of the vehicle in, plain, legible letters and numbers at least four

inches high, and shall be visible at all times. The certified capacity of the tank in gallons shall be permanently affixed on both sides of the tank in plain, legible numbers a minimum of four inches high and shall be visible at all times. The capacity as shown shall be that approved and certified by the sealer of weights and measures of the county, or other approved sealer of weights and measures.

(h) Vehicle Equipment: A minimum of fifty feet of pumping hose, a bucket and detergent shall be carried on each pumping vehicle. All pumping hoses must be cleaned out into the truck tank or into the Septic Tank, chemical toilet, or other receptacle being pumped, and not on the surface of the ground. The customer's hose shall not be used.

(i) Vehicle Spill Kit: There shall be a spill kit carried on each vehicle at all times which shall include, but not be limited to a sufficient quantity of chloride of lime or other chlorine product for disinfection of hose, absorbent material such as kitty litter, garbage bags, gloves of an impervious material, and absorbent spill containment barrier.

(j) Violation of any of the provisions in this Article or any order or orders of the Director of Environmental Health made pursuant to this article for the protection of human health and comfort shall constitute a misdemeanor and shall be punished by a fine of not less than two hundred dollars (\$200) for each offense or by imprisonment for not less than thirty (30) days or by both the fine and imprisonment.

Article 11: Land Use Project

Sec. 6-19.1101 Land Use Project

(a) An Applicant initiating a Land Use Project that cannot be served by a Public Sewer System shall complete a Site Evaluation to determine suitability to meet System requirements for onsite Wastewater dispersal as described in this Chapter and the Manual.

(b) Unless waived by the Director of Environmental Health, no Lot shall be created, no parcel or subdivision map shall be recorded, nor shall a Lot line adjustment be approved unless all proposed Lots or parcels which rely, or will rely on a System, as defined in this Chapter, have an approved Site Evaluation Report that verifies the existing and/or proposed lots or parcels have the required Minimum Usable Wastewater Dispersal Area (MUWDA) in accordance with the horizontal setback requirements shown on Table 1 for each existing or proposed residence. Non-residential Land Use Project(s) shall submit a Site Evaluation Report and proposed System design.

Table 1: MUWDA Requirements per Residence

USDA Soil Texture Classification	Percolation Rate (minutes/inch)	MUWDA (square feet)	
		Gravity Distribution	Pressure Distribution
Coarse sand	<1	Not Suitable for Lot Creation	
Coarse to medium sand ^{1,2}	1-5	Not Allowed	6,000
Fine sand and loamy sand ³	>5-10	9,000	6,000
Sandy loam, loam, sandy clay loam	>10-24	12,000	8,000
Silt loam	>24-60	15,000	10,000
Clay loam, silty clay loam, sandy clay ⁴	>60-120	Not Allowed	15,000
Clay ⁴ , highly compacted soil	>120	Not Suitable for Lot Creation	
Imported soil	Not applicable	Not Suitable for Lot Creation	

¹Subject to percolation test in addition to using soil texture determination.

²Must demonstrate adequate filtration capacity

³Subject to percolation test in addition to soil textural determination if 35% or more (by volume) coarse fragments (defined as > 2 mm size)

⁴Clay shall be non-expansive

(c) No Lot shall be created, no parcel or subdivision map shall be recorded, nor shall a Lot line adjustment be approved where a Non-Discharging Wastewater Disposal Unit is the proposed method of Wastewater disposal in lieu of an Onsite Wastewater Treatment System.

(d) No reduction in MUWDA size shall be granted for proposed Supplemental Systems.

(e) Except for Community Systems, no new Lot or parcels shall be created where the Lot or parcel relies on a System that cannot be sited within the boundaries of the proposed Lot or parcel.

(f) The Director of Environmental Health may approve specifications for MUWDAs for non-residential projects, Cluster Systems, and Community Systems that vary from Table 3 on a case-by-case basis under the requirements of this Ordinance and Manual.

(g) The minimum size of a newly created individual lot within the unincorporated area of the County that is served by a System shall be two (2) acre. The minimum size of a newly created individual lot within the jurisdiction of the City of West Sacramento shall be one

(l) acre. Minimum lot sizes within geographic areas will be re-evaluated periodically based on results of the Water Quality Assessment Program.

(h) Within the unincorporated areas of Yolo County, no System shall be constructed within a residential subdivision of five (5) or more lots, or parcels in which any one parcel is less than five (5) acres net size, for which a tentative subdivision map is approved after October 7, 1976.

(i) The maximum slope for the designated MUWDA on newly created lots served by a System shall be no greater than 30%.

(j) No new lot or parcel shall be created where the vertical separation is less than two (2) feet.

(k) Proposed new lots or parcels shall specify the MUWDA on all maps. The MUWDA shall be outside of the following:

- (1) Minimum horizontal setbacks as specified in Table 1.
- (2) Easements dedicated to surface or underground improvements.
- (3) Easements for access for roadway purposes.
- (4) Paved areas
- (5) Areas with a slope in excess of thirty (30) percent.
- (6) Areas subject to flooding as determined in the Site Evaluation
- (7) Areas within required setbacks to a flood control levee.

Article 12: Connection to Public Sewer System

Sec. 6-19.1201 Connection to Public Sewer System Required

Where there is Public Sewer System available for connection, Systems shall be prohibited.

(a) The Public Sewer System is considered available under the following circumstances:

- (1) A single Lot or parcel being served is located 200 feet or less from a suitable connection point to a Public Sewer System.
- (2) A Lot shown on a proposed parcel map is located 500 feet or less from a suitable connection point to a Public Sewer System.

(3) A Lot shown on a proposed tentative or final map is located 1000 feet or less from a suitable connection point to a Public Sewer System.

(4) Connection to the Public Sewer System is allowed by the Public Sewer System governing body and/or other governing bodies, such as Local Agency Formation Commission

(b) For a single Lot, these provisions do not apply to a required System Expansion, Repair, or replacement where the connection fees associated with connection to the Public Sewer System are greater than twice the total cost of the site evaluation and permitted work to be performed for the Expansion, Repair or replacement; and the System can meet the minimum requirements of this Chapter and the Manual.

Any fees associated with assessments of potential connection to Public Sewer System shall be the responsibility of the property Owner or developer.

Article 13: Groundwater Protection

Sec. 6-19.1301 Areas with Potential for Groundwater Pollution

New Systems located within areas that are determined to have a potential for nitrogen contamination in the groundwater due to dense development greater than one (1) dwelling unit (or equivalent) per gross acre on average, and soils with a percolation rate five (5) minutes per inch or faster (coarse to medium sand) and Groundwater levels less than 8 (eight) feet below the bottom of the proposed dispersal field and where individual water wells are the source of water supply, the Director of Environmental Health shall require nitrogen reducing Supplemental Treatment unless Cumulative Impact studies determine that the groundwater will not be affected.

Sec. 6-19.1302 Areas with Impacted Groundwater

In areas with known elevated nitrogen levels in the groundwater due to septic system effluent and where individual water wells are the source of water supply, the Director of Environmental Health may require nitrogen reducing supplemental treatment for new or replacement Systems.

Article 14: Reporting to Central Valley Regional Water Quality Control Board

Sec. 6-19.1401 Report Requirements

Pursuant to Item 3.3 of the OWTS Policy, an annual report shall be submitted to the Central Valley Regional Water Quality Control Board and include the required elements as described therein. DEH shall collect any and all such data and perform any required studies so as to fulfill this requirement. The Director of Environmental Health shall be responsible for data collection and reporting.

Sec. 6-19.1402 Records Retention

Records of permitting, complaint response and enforcement actions created pursuant to the implementation of this Chapter shall be permanent and retained by the County of Yolo in perpetuity. Paper records may be scanned and stored electronically; and the paper version destroyed.

Sec. 6-19.1403 Water Quality Assessment Program

On or before May 2018 the Director of Environmental Health shall develop and implement a water quality assessment program pursuant to OWTS Policy Section 9.3.2.

Article 15: Enforcement and Penalties

Sec. 6-19.1501 Enforcement

- (a) DEH shall perform enforcement of the standards of this Chapter and the Manual.
- (b) All violations of this Chapter and the Manual are determined to be unlawful and declared to be detrimental to the public health, safety and welfare, and are declared to be Public Nuisances.
- (c) Failure to maintain an active System Operating (OM&M) Permit and/or failure to comply with a condition of approval is a violation of this Code and will result in enforcement action.
- (d) DEH may condemn any residence or other establishment that is accumulating or disposing of Wastewater in a manner contrary to the requirements of this Chapter and the Manual.
- (e) The Director of Environmental Health has the authority to immediately abate a violation that constitutes an imminent threat to public health and safety. This could include, but not be limited to, untreated sewage onto the ground or into surface waters; open Cesspools, Septic Tanks, or other entrapment hazards; etc.
- (f) In addition to the use of other remedy, DEH may seek legal or equitable relief in Yolo County Superior Court to enjoin any act or practice and to abate any conditions that constitute or will constitute a violation of this Chapter or the Manual.
- (g) No Person shall obstruct, impede or interfere with DEH in the performance of code enforcement and nuisance abatement duties pursuant to this Chapter and the Manual.

Sec. 6-19.1502 Right of Entry

DEH is hereby authorized to enter at any reasonable hour any premises as may be necessary in the enforcement of this Chapter and the Manual.

Sec. 6-19.1503 Notice of Violation

The Director of Environmental Health may issue a Notice of Violation to any person found to be in violation of a provision of this Chapter, including but not limited to, any regulation, information request, order, variance, condition, or other requirement that the Director of Environmental Health and/or his or her designee is authorized to enforce or implement pursuant to this Chapter.

Sec. 6-19.1504 Cease and Desist Orders

(a) The Director of Environmental Health may issue a cease and desist order requiring any Person responsible for any violation of this Chapter to take any of the following actions:

- (1) Immediately discontinue any prohibited discharge of wastewater
- (2) Immediately discontinue any other violation of this Chapter
- (3) Satisfactorily remediate the area affected by the violation.

Sec. 6-19.1505 Penalties

(a) Any Person found in violating any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than One-Thousand and no/100ths (\$1,000.00) Dollars, or imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment. Such Person shall be deemed guilty of a separate offense for each and every day during any portion of which a violation of this Chapter is committed, continued or permitted by such Person.

(b) In addition to the penalties set forth in this Article, any Person guilty of a violation of these standards shall be liable for such costs, expenses and disbursements paid or incurred by the County in abatement and prosecution of the violation. The Director of Environmental Health may place a lien on the property for recovery of any associated costs and unpaid fees.

(c) Any Person conducting work without necessary permits shall pay double the permit fee as a penalty in addition to the reimbursement of cost and other penalties as described above.

Article 16: Appeals

Sec. 6-19.1601 Appeals Procedure

Any Appeals from all orders, decisions, and determinations of the Enforcement Officer shall be made in writing, and shall specify and set forth the grounds for the appeal; and

shall be filed by the appellant with the Clerk of the Board according to procedures set for the Yolo County Code of Ordinances, Title 1, Chapter 4.

Article 17: Severability

Sec. 6-19.1701 Severability

If any section, subsection, paragraph, sentence, clause, or phase of this ordinance 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 phase therein.