

ORDINANCE NO. 10136 (N.S.)

AN ORDINANCE AMENDING THE SAN DIEGO COUNTY CODE  
RELATING TO ON-SITE WASTEWATER TREATMENT SYSTEMS AND  
GRAYWATER SYSTEMS

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1: Title 6, Division 8, Chapter 3 of the San Diego County Code is amended to read as follows:

CHAPTER 3. ON-SITE WASTEWATER TREATMENT SYSTEMS AND  
IMPROPER DISPOSAL OF SEWAGE

ARTICLE 1. GENERAL PROVISIONS AND DEFINITIONS

**SEC. 68.301. PURPOSE.**

On-site wastewater treatment systems, which include septic systems and graywater systems, are regulated by State law. The State Water Resources Control Board and the California Regional Quality Control Boards for San Diego Region and the Colorado River Basin Region (Regional Boards) have delegated their authority to regulate on-site wastewater treatment systems in the unincorporated area of the County to the County Department of Environmental Health. Water Code sections 13290 et seq. authorize a local government to adopt regulations for on-site wastewater treatment systems that are more protective of the public health or the environment than State laws and regulations. Water Code section 14877.2 allows a county to approve installation of a graywater system if that county determines the graywater system meets the standards the State Department of Water Resources. Water Code section 14877.3 allows a county to adopt more restrictive standards for graywater systems. The purpose of this chapter is to implement these State laws and regulations and implement additional standards for septic systems and graywater systems that are necessary to protect the health and safety of the San Diego County community. This chapter also prohibits the improper disposal of sewage and provides regulations authorizing the Director of DEH, in the Director's capacity as the local health officer for the County, to protect public health from threats from sewage.

## **SEC. 68.302. DEFINITIONS.**

The following definitions shall apply to this chapter:

(a) "Alternative on-site wastewater treatment system" means an on-site wastewater treatment system that uses an advanced method of effluent treatment or distribution and that is designed to mitigate (1) soil or groundwater conditions that render a lot inappropriate for a standard system or (2) severely inadequate reserve area for repair or replacement of an existing, but improperly functioning on-site wastewater treatment system. An alternative on-site wastewater treatment system does not include a standard system that only uses a pump to deliver effluent to a non-pressurized disposal field.

(b) "Director" means the Director of the Department of Environmental Health and any person the Director hires or appoints to implement or enforce this chapter.

(c) "Drainage system" means the piping on property that connects all plumbing fixtures and appliances discharging sewage or other liquid wastes, to a public sewer or an on-site wastewater treatment system. The drainage system does not include the mains or laterals of a public sewer system.

(d) "Horizontal seepage pit" means a component of an on-site wastewater treatment system designed to disburse effluent into the soil, consisting of a trench 4' to 6' wide with vertical sides and a flat bottom.

(e) "IAPMO" means the International Association of Plumbing and Mechanical Officials.

(f) "Leach trench" means a component of an on-site wastewater treatment system designed to disburse effluent into the soil, consisting of an 18" wide trench with vertical sides and a flat bottom.

(g) "On-site wastewater treatment system" means a system on property not connected to a public sewer, that treats and disposes of sewage and other wastes produced on the property where the system is located.

(h) "Vertical seepage pit" means a component of an on-site wastewater treatment system designed to disburse effluent into the soil, consisting of a cylindrical boring, 4' in diameter with vertical sides and a flat bottom.

**SEC. 68.303. DIRECTOR OF DEPARTMENTAL OF ENVIRONMENTAL HEALTH TO ENFORCE.**

The Director shall implement and enforce this chapter.

**ARTICLE 2. GENERAL REQUIREMENTS**

**SEC. 68.310. DRAINAGE SYSTEM TO BE CONNECTED TO PUBLIC SEWER IF AVAILABLE.**

(a) The drainage system of every building constructed or reconstructed, except for a graywater system, shall be connected to a public sewer if: (1) the property on which the building is located abuts a public sewer or a public sewer is located within 200 feet of the building, (2) annexation to the sewer district has been completed and (3) no easements through adjacent property are necessary to complete the public sewer connection.

(b) When a public sewer is not available, because one or more of the conditions of subsection (a) have not been satisfied, the drainage system of a building shall be connected to an approved on-site wastewater treatment system. For purposes of this chapter, a drainage system or on-site wastewater treatment system shall only be considered approved if the system received all permits required by this code at the time the system was installed or modified. The property owner shall install a system based on the Director's determination of the type of system that is required after considering the area, soil porosity, ground water level and population density in the area. The on-site wastewater treatment system shall be designed to receive and dispose of all sewage and liquid waste from the building served.

**SEC. 68.311. IMPROPER DISPOSAL OF SEWAGE AND OTHER LIQUID WASTES PROHIBITED.**

(a) It shall be unlawful for a person to cause or allow sewage, human excrement or other liquid wastes to be disposed of in any place or manner except through and by means of an approved drainage system or an approved on-site wastewater treatment system, whichever is applicable, installed and maintained as provided in the County Plumbing Code and this chapter.

(b) It is unlawful for a property owner, tenant or other building occupant to knowingly operate or allow to be operated, a drainage system that allows sewage, human excrement or other liquid wastes to be disposed of so that the waste is not confined underground. This section applies to a drainage system that connects to a public sewer or an onsite wastewater treatment system.

(c) An on-site wastewater treatment system that allows sewage, human excrement or other liquid wastes to be disposed of so that the waste is not confined underground is a defective system. An on-site wastewater treatment system that requires frequent pumping to remove accumulated wastes in order to confine sewage underground is also a defective system whether or not pumping the system allows waste to be confined underground. An on-site wastewater treatment system that is defective under this chapter shall also be considered a defective system for the purposes of sections 69.101 et seq.

(d) A property owner shall promptly repair a leaking connection to a sewer system or a defective on-site wastewater treatment system, or if public sewer is available, replace the on-site wastewater treatment system with a connection to the public sewer within the time period required by section 68.312(b). No repair of a defective system shall be started without a permit from the Director. If a property owner elects to repair the defective system, the person shall complete the repairs within 30 days from the date the system became defective.

**SEC. 68.312. DEFECTIVE SYSTEMS TO BE REPLACED BY CONNECTION TO PUBLIC SEWER WHERE REPAIRS ARE INFEASIBLE.**

(a) If the Director determines that repairing a defective system is infeasible, the Director may require the building owner to connect the building's drainage system to a public sewer, whether or not that sewer is adjacent to the property or accessible without the property owner having to acquire an additional easement.

(b) Where connection to a public sewer does not require annexation to a sewer district or the acquisition of an additional easement, the property owner shall connect the building's drainage system to the public sewer within 90 days after the system became defective. When connection to a public sewer requires annexation or requires acquisition of an additional easement, the property owner shall connect to the public sewer within 180 days after the system became defective. The Director may allow the property owner additional time if the property owner has initiated legal action to acquire the necessary easement and is diligently pursuing the action.

**SEC. 68.313. CONNECTION OF EXISTING BUILDINGS TO NEWLY INSTALLED SEWERS.**

In addition to requiring a property owner with a defective on-site wastewater treatment system to connect a building drainage system to a public sewer pursuant to section 68.312, the Director may also require a property owner to connect to a

newly available public sewer and discontinue using an on-site wastewater treatment system whenever the Director determines that the public health and sanitation require the building drainage system to connect to the public sewer.

**SEC. 68.314. ABANDONMENT OF ON-SITE WASTEWATER TREATMENT SYSTEM.**

When a property owner has disconnected a septic tank, holding tank or seepage pit from an onsite wastewater treatment system or has discontinued using the entire system, the disconnected septic tank, holding tank or seepage pit or the discontinued system shall be deemed abandoned. In that case the property owner shall destroy any septic tank, holding tank or seepage pit within 30 days from the date the system or system component is deemed abandoned. As used in this section destroy means that the property owner has had a licensed septic waste hauler remove the contents from any abandoned septic tank, holding tank or seepage pit and the property owner has backfilled the component with sand, gravel or other clean fill material.

**SEC. 68.315. DIRECTOR MAY AUTHORIZE ALTERNATIVE TOILETS IN ISOLATED AREAS FOR NON-RESIDENTIAL USES.**

The Director may authorize use of a dry toilet or a chemical toilet in lieu of connection to a public sewer or to an on-site wastewater system for non-residential use as follows:

(a) The Director may authorize use of a pit, vault or composting dry toilet for a campsite, park or trail, when no public sewer is available and it is impracticable to connect water to the area where the toilet is to be located.

(b) The Director may authorize the use of a chemical toilet for a temporary structure for a commercial use when no public sewer is available and site conditions make it impracticable or impossible to install an on-site wastewater treatment system.

(c) The Director may also authorize a chemical toilet for a commercial use: (1) when no public sewer is available, (2) the property has an existing on-site wastewater treatment system, (3) the owner or tenant only needs occasional supplemental sewer capacity and (4) the Director determines it would be prohibitively expensive based on the amount of occasional use to require an expansion of the existing on-site wastewater treatment system.

(d) The Director may also authorize a chemical toilet for an extractive use or other industrial use in an isolated area such as a facility that receives solid waste,

when no public sewer is available and site conditions make it impracticable or impossible to install an on-site wastewater treatment system.

#### **SEC. 68.316. TEMPORARY OCCUPANCY PERMITS.**

(a) A person using or occupying a trailer coach outside of a mobilehome park pursuant to a permit issued by the County under sections 52.201 et seq. who violates the terms of the permit or section 52.210 and who also violates section 68.311 is guilty of a separate violation of this chapter.

(b) A person using or occupying a building or structure pursuant to a temporary occupancy permit issued by the County pursuant to section 91.1.110.3 who violates the terms of the permit or section 91.1.110.3 and who also violate sections 68.311 is guilty of a separate violation of this chapter.

#### **SEC. 68.317. TEMPORARY ON-SITE WASTEWATER SYSTEMS.**

The Director may issue a permit to a property owner authorizing construction of a temporary on-site wastewater system when the Director determines that is highly probable that the property will have access to a public sewer within 24 months from the date of a permit application and owner is able to demonstrate the ability to install a permanent on-site wastewater system in accordance with provisions of this chapter. As a condition of the permit, the property owner and the Director shall enter into a written agreement, and the permit and the agreement shall contain following terms:

(a) The permittee agrees to connect the property to the sanitary sewer within 30 days after it becomes available to the property.

(b) If the public sewer does not become available to the property within the period of time specified in the agreement the property owner shall apply for a permit for an on-site wastewater treatment system within 30 days after receiving notice from the Director and install an approved on-site wastewater treatment system within one year from the date the Director issues the permit.

(c) The property owner will pump and remove all sewage and other wastes from the temporary on-site wastewater system and abandon the system following the procedures in section 68.314.

(d) The property owner will not occupy the building to which the temporary on-site wastewater system will be installed or allow any other person to occupy the building until the property owner installs the system and the Director approves it.

(e) If the property owners sells or transfers the property the permit to use the temporary system will terminate unless the purchaser or transferee enters into a new agreement with the Director.

### ARTICLE 3. INSTALLATION OF SEWAGE HOLDING TANKS

#### **SEC. 68.320. TEMPORARY USE OF HOLDING TANKS.**

The Director may issue a permit authorizing a property owner to temporarily install a holding tank in lieu of an on-site wastewater treatment system if: (a) public sewer is not available, (b) an on-site wastewater treatment system is not practicable and (c) the Director determines that the property will be able to connect to a public sewer within six months of the permit application. The Director may issue a permit for a holding tank for up to six months and may grant one extension for up to an additional six months if the Director determines the property owner has been unable to connect with the sewer through no fault of the property owner.

#### **SEC. 68.321. APPLICATION PROCEDURE.**

A person applying for a permit to install a sewage holding tank shall complete an application form provided by the Director and submit with the application the tank specifications and a sketch showing the location and design features of the proposed installation.

#### **SEC. 68.322. SEWAGE HOLDING TANK REQUIREMENTS.**

(a) A sewage holding tank for which an applicant requests a permit shall be constructed of watertight concrete, have an alarm approved by the Director and have a capacity of at least 1500 gallons. The Director may require a tank to have a greater capacity than 1500 gallons depending on the projected use of the building for which the tank permit is requested.

(b) A person issued a sewage holding tank permit under this section shall empty the tank before it is filled to three quarters of its capacity or in compliance with a schedule prescribed by the Director.

## ARTICLE 4. LAND DEVELOPMENT APPLICATIONS

### **SEC. 68.325. PERMIT REQUIRED TO CONSTRUCT, MODIFY OR ABANDON AN ON-SITE WASTEWATER TREATMENT SYSTEM.**

No person shall install, construct, reconstruct, repair, add to, modify or abandon an on-site wastewater treatment system without a permit issued by the Director.

### **SEC. 68.326. APPLICATION FOR INSTALLATION PERMIT.**

(a) A person may apply for a permit to install an on-site wastewater treatment system by submitting an application for a permit on a form provided by the Director. A separate application and permit is required for each installation. The applicant shall submit with the application a diagram drawn to scale that shows the components of the system to be installed and their proposed location on the property. The applicant shall demonstrate that there is adequate area on the property to install the system and that there is adequate reserve area on the property that complies with the requirements of section 68.342.

(b) No permit shall be issued to install an on-site wastewater treatment system unless the applicant provides proof that the applicant has potable water available from a public water purveyor or an approved well and the applicant has submitted an application for a building permit.

(c) No permit shall be issued for an on-site wastewater treatment system until all grading on the property where the system is to be located has been completed and the Director has inspected the grading.

(d) A person may apply for a permit to rebuild, repair or add on to an on-site wastewater treatment system or any part of the system by submitting an application for a permit on a form provided by the Director. A separate application and permit are required for each rebuild, repair or addition. The application shall be accompanied by a diagram drawn to scale that shows the portions of the system to be rebuilt, repaired or added to.

(e) No permit shall be issued pursuant to this section if the Director determines that the location, area, soil porosity, ground water level, density of population in the area, the number of persons to be served or other conditions would cause the operation of the on-site wastewater treatment system described in the application to contaminate an underground water supply or to create an unsanitary condition endangering public health.



### **SEC. 68.327. PROJECT REVIEW.**

Whenever an application for a project, such as a major or minor use permit or a land development project requires the Director's review, the applicant shall submit an application requesting the Director's review on a form provided by the Director and shall submit any additional documents the Director requests. The application shall not be considered complete until the applicant submits all required documents. The Director shall notify the applicant in writing whether or not the Director approves the application and if the application is disapproved, the notice shall state the reasons for the disapproval.

### **SEC. 68.328. PERCOLATION TEST; PROFESSIONAL QUALIFICATIONS.**

(a) Prior to issuance of an on-site wastewater treatment system permit, the Director may require the applicant to furnish a report of soil percolation tests performed on the site of the proposed on-site wastewater treatment system, including the results of the tests.

(b) Whenever the Director requires soil percolation testing the testing and the preparation of all plans or drawings required by this chapter shall be done by a: (1) California registered engineer, (2) California registered environmental health specialist or (3) California registered geologist. The Director may also require that these individuals demonstrate their knowledge of San Diego County ordinances and policies related to the design of on-site wastewater treatment systems.

### **SEC. 68.329. EXPIRATION OF PERMIT.**

A permit to install, rebuild, repair or add on to an existing on-site wastewater treatment system shall expire one year from the date it was issued. If a person has not completed the work before the expiration date, the person shall obtain a new permit before resuming work on the system.

### **SEC. 68.330. REVOCATION OF PERMITS.**

The Director may revoke a permit issued under this chapter if the permit was issued in error or on the basis of incorrect, inaccurate or incomplete information or in violation of this chapter or any other law or regulation. The Director may also revoke a permit when there is a change in circumstances or a change to the conditions of the applicant's property since the date of the application, which if those circumstances or conditions had existed at the time the permit was issued, would have been grounds for denial of the permit.

**SEC. 68.331. INSPECTION AND APPROVAL REQUIRED BEFORE BACKFILLING.**

(a) As soon as a permittee installs, rebuilds, repairs or adds on to an on-site wastewater treatment system pursuant to the permit and is ready to backfill the work the permittee shall notify the Director that the system is ready for inspection before the work is covered.

(b) No person shall backfill or cause another person to backfill, an on-site wastewater treatment system that has been installed, rebuilt, repaired or added on to before the Director inspects and approves the work, as provided in subsection (a). This subsection shall not prevent a property owner, engineer, contractor or other person responsible for the work from protecting persons from injury at the site.

**SEC. 68.332. CONNECTING TO AN UNAPPROVED ON-SITE WASTEWATER TREATMENT SYSTEM PROHIBITED.**

It shall be unlawful for a person to connect a drainage line to or use an on-site wastewater treatment system unless the Director has approved that system.

**SEC. 68.333. REINSPECTIONS.**

A permittee whose on-site wastewater treatment system installation, rebuild, repair or addition does not pass inspection shall promptly correct the deficiency in the system and have the system reinspected. If the permittee fails to correct the deficiency or request reinspection within a reasonable period of time, the Director may revoke the permit.

**SEC. 68.334. ANNUAL OPERATING PERMIT FOR ON-SITE WASTEWATER TREATMENT SYSTEMS REQUIRING MONITORING.**

(a) When an on-site wastewater treatment system is approved, subject to the condition that the property owner allow the Department to monitor the system, the property owner shall obtain an annual operating permit from the Director and have a valid operating permit in effect at all times.

(b) No person shall use or allow another person to use an on-site wastewater treatment system for which an annual operating permit is required if no operating permit is in effect at the time the system is used. A system that requires an annual operating permit, that is being operated without the permit being in force, shall be considered a defective system within the meaning of section 68.311(c), whether or

not the system allows sewage, human excrement or other liquid wastes to be disposed of so that the waste is not confined underground.

(c) The Director may enter property during normal business hours to inspect an on-site wastewater treatment system that was approved subject to the condition that the Director would monitor the system

#### **SEC. 68.335. ANNUAL OPERATING PERMIT REVOCATION.**

(a) The Director may revoke the annual operating permit for an on-site wastewater treatment system that requires monitoring if the Director determines the system is not operating properly, whether or not the system is allowing sewage, human excrement or other liquid wastes to be disposed of so that the waste is not confined underground. The Director may also revoke the annual operating permit if the permittee violates any condition of the permit, including refusing to allow the Director to inspect the system. If the Director revokes the annual operating permit for an on-site wastewater treatment system, the system shall be considered a defective system within the meaning of section 68.311(c).

(b) The Director may reinstate a permit that has been revoked under this section if the Director determines that the permittee has presented a plan for adequate repair, alteration or maintenance of the system that will allow the system to operate properly. The Director may also allow a permit that was revoked for failure to comply with the terms of the permit, including the failure to allow inspection, if the Director receives adequate assurance from the permittee that the permittee will comply with terms of the permit. As a condition of the reinstatement process the permittee shall pay all of the Director's costs and expenses incurred to investigate and process the revocation and reinstatement of the permit, in addition to paying all fees established by the Board.

#### **SEC. 68.336. ABATEMENT.**

In addition to initiating administrative abatement as authorized by this code the Director may bring a judicial action to abate any violation of this chapter or other public nuisance arising from the use of an on-site wastewater treatment system and recover all of the Director's administrative costs including the costs incurred in the physical abatement of the violation.

## ARTICLE 5. SPECIFICATIONS

### SEC. 68.340. LOCATION OF ON-SITE WASTEWATER TREATMENT SYSTEMS.

(a) An on-site wastewater treatment system or any part of a system shall be constructed or installed so that it will be a safe distance from any source of water supply. In determining what is a safe distance the Director may consider the source of possible pollution, the type of soil, surface and subsurface, the type and source of water supply, the geological formation of the ground, the direction of surface drainage and the depth and direction of groundwater flow.

(b) A new on-site wastewater treatment system or repair installation to an existing system shall maintain setbacks to groundwater supplies as described in State of California Water Well Standards, Bulletin 74-81 and 74-90.

(c) No component of an on-site wastewater treatment system shall be approved for installation on a slope over 25% if the percolation rate is over 60 minutes per inch.

(d) No part of an on-site wastewater treatment system shall be located on any lot other than the lot that is the site of the building or structure that will be served by the on-site wastewater treatment system.

(e) No part of an on-site wastewater treatment system, except a building sewer line, shall be located less than five feet from every building or structure or less than five feet from every property line. Specific setback requirements may vary based on the type of system design and site conditions. The following criteria shall apply:

System Component	Setback to:	Minimum Distance
Septic Tank	Structure	5 feet
Septic Tank	Property Line	5 feet
Septic Tank	Water Well	100 feet
Leach Trench	Structure	8 feet
Leach Trench	Property Line	5 feet
Leach Trench	Water Lines	10 feet (1)
Leach Trench	Water Well	100 feet (3)

Leach Trench	Drainage Course	50 feet from top of bank
Leach Trench	Flowing Stream	100 feet from top of bank
Leach Trench	Pond	100 feet from spillway elev.
Leach Trench	Reservoir	200 feet from the spillway elevation
Leach Trench	Road Easements	10 feet from edge of ultimate easement width (2)
Leach Trench	Cut Slopes	5:1 Setback from top of cut slope (4)
Leach Trench	Septic Tank	5 feet
Leach Trench	Leach Lines	10 feet
Leach Trench	Seepage Pits	15 feet
Seepage Pits	Structure	10 feet
Seepage Pits	Property Line	10 feet
Seepage Pits	Water Lines	10 feet (1)
Seepage Pits	Water Well	150 feet (3)
Seepage Pits	Drainage Course	50 feet from top of bank
Seepage Pits	Flowing Stream	100 feet from top of bank
Seepage Pits	Pond	100 feet from spillway elev.
Seepage Pits	Reservoir	200 feet from the spillway elevation
Seepage Pits	Road Easements	10 feet from edge of ultimate easement width (2)
Seepage Pits	Cut Slopes	5:1 Setback from top of cut slope (4)
Seepage Pits	Septic Tank	5 feet
Seepage Pits	Seepage Pits	20 feet

(1) Or 5:1 from the existing or future trench depth, whichever is greater.

(2) The setback may increase if the 5:1 setbacks to road cuts are greater than the minimum setback of 10 feet.

(3) The minimum setback may be increased if site conditions show the minimum setback is insufficient to protect groundwater supplies.

(4) No part of an onsite wastewater treatment system, with the exception of a septic tank, pump chamber, enclosed filter, or tight sewer pipe, shall be located closer than a 5:1 setback distance to the top of a cut bank, or the edge of an excavation. The horizontal distance would be five times the height of the cut or depth of the excavation. This setback would also be applied to the top of an eroded bank or natural slope in excess of 60%.

**SEC. 68.341. AREA REQUIRED FOR ON-SITE WASTEWATER TREATMENT SYSTEM INSTALLATION, EXPANSION AND DIVISION OF PROPERTY AND GRADING.**

(a) An applicant for an on-site wastewater treatment system shall install a system authorized by this chapter that the Director determines is adequate to accommodate the projected sewage flows from the building the system will serve and also complies with the reserve area requirements of section 68.342.

(b) A property owner with an on-site wastewater treatment system who is required to obtain: (1) a building permit for a building addition or other remodeling of an existing building or to add another stand alone building on property, or (2) the building official's approval for a change of use or occupancy of an existing building, shall also obtain the Director's approval before a building permit or other approval shall be issued. If the addition, remodeling or change of use or occupancy will likely result in a greater amount of sewage or other waste to flow into an on-site wastewater treatment system, the property owner shall obtain a permit from the Director to expand the system to accommodate the additional waste that will exceed the capacity of the existing system.

(c) A property owner in subsection (b), as a requirement for the Director's approval, shall also demonstrate as part of the permitting or approval process, that the property has an on-site wastewater treatment system that meets the current requirements for that system and has adequate reserve area as required by section 68.342.

(d) A person applying to modify a use permit on property with an on-site wastewater treatment system shall obtain the Director's approval as part of the application process. No use permit modification shall be granted without the Director's approval. If the use permit's modification will result in a greater amount of sewage or other waste to flow into an on-site wastewater treatment system the applicant shall also be required to obtain a permit from the Director to expand the system to accommodate the additional waste and shall demonstrate as part of the approval process that the property has an on-site wastewater treatment system that meets the current requirements for that system. A person applying to modify a use permit shall also demonstrate that the property has an adequate reserve area required by section 68.342 whether or not the use permit's modification will result in the potential for a greater amount of sewage or other waste to flow into an on-site wastewater treatment system.

(e) A person applying to subdivide property or for a lot line adjustment shall demonstrate that there is an adequate area on each proposed lot for an on-site wastewater treatment system that complies with the requirements of this chapter

and there is adequate reserve area on each lot to meet the requirements of section 68.342.

(f) An applicant for a grading permit to grade property where there is an existing or approved but not installed on-site wastewater treatment system, shall obtain the Director's approval as part of the grading approval process and shall demonstrate that the proposed grading will not interfere with the area where the on-site wastewater treatment system has been installed or has been approved to be installed and with the area designated for reserve area required by section 68.342.

#### **SEC. 68.342. RESERVE AREA REQUIREMENTS.**

(a) No permit to install a new on-site wastewater treatment system shall be approved unless the application designates a reserve area on the property to allow for the replacement of the entire on-site wastewater treatment system if the proposed system fails. The reserve area shall be equal to 100% of the area required for the system the applicant proposes to install unless a greater reserve area is required by subsection (c).

(b) If a property owner is proposing to expand an existing on-site wastewater treatment system as provided in section 68.341 the property owner shall demonstrate that the expanded system has an adequate reserve area. The reserve area shall be equal to 100% of the expanded system unless a greater reserve area is required by subsection (c).

(c) For a percolation rate greater than 60 minutes per inch and less than or equal to 90 minutes per inch, the reserve area requirement shall be 200%. For a percolation rate greater than 90 minutes per inch and less than or equal to 120 minutes per inch, the reserve area requirement shall be 300%.

(d) If an existing building does not have the reserve area required by this section, no construction shall be allowed on the property that would remove any usable reserve area, unless the building is able to connect to public sewer.

#### **SEC. 68.343. TYPE OF ON-SITE WASTEWATER TREATMENT SYSTEM REQUIRED.**

An on-site wastewater treatment system installed after the effective date of this chapter shall consist of:

(a) A standard system that contains septic tank with effluent discharging into one of the following: (1) a leach trench disposal system, (2) a chamber disposal system or (3) a seepage pit disposal system.

(b) An alternative on-site wastewater treatment system.

(c) A graywater system that meets the requirements of this chapter.

#### **SEC. 68.344. REQUIREMENTS FOR SEPTIC TANKS.**

A septic tank installed after the effective date of this chapter shall be IAPMO approved, be watertight and be installed in compliance with section 68.340.

#### **SEC. 68.345. REQUIREMENTS FOR DISTRIBUTION BOX.**

A distribution box installed after the effective date of this chapter shall meet the following requirements:

(a) A distribution box shall be watertight and shall be constructed of the same materials authorized for construction of a septic tank. The inner surface of the distribution box shall be resistant to sewer gas corrosion.

(b) All outlets from a distribution box shall be at exactly the same elevation and shall be located at least two inches above the bottom of the box. The inlet to the distribution box shall be one inch above the elevation of the outlets.

(c) A distribution box shall be connected to an on-site wastewater treatment system.

#### **SEC. 68.346. LEACH TRENCH DISPOSAL SYSTEM REQUIREMENTS.**

A leach trench disposal system that disposes of effluent from a septic tank installed after the effective date of this chapter shall meet the following requirements:

(a) The minimum length of leach trench for a leach trench disposal system shall be 200 linear feet.

(b) Perforated pipe used in leach trench construction shall be IAPMO approved.

(c) Each leach trench shall consist of a trench 18 inches wide, 36 inches deep and be located no closer than 10 feet on center from any adjacent line. Clean



washed rock or gravel, grading 1 to 1-1/2 inches, shall be placed around the perforated pipe. At least 12 inches of rock shall be placed under the perforated pipe and 4 inches above the perforated pipe.

(d) Leach trenches and perforated pipes shall be level with not more than 2 inches per 100 linear feet of variation in grade.

(e) Leach trench depth may exceed 36 inches below the surface when percolation testing substantiates that adequate soil conditions exist at the depth approved to receive and treat effluent. Additional rock shall be added to the trench to prevent the perforated pipe depth from falling below the approved depth. The maximum trench depth shall not exceed 60 inches unless steep slopes on the property make it impracticable to install the system without placing the leach trenches below 60 inches. If it is necessary to install leach trenches more than 60 inches below the surface, the property owner shall only be allowed to exceed 60 inches if the installation complies with resource protection provisions in sections 86.601 et seq., grading provisions in sections 87.101 et seq. and the California Occupational Health and Safety Act.

(f) In lieu of perforated pipe and clean washed rock or gravel required by this section to be placed in leach trenches, the Director may allow an applicant to use an alternative device that the Director determines achieves the same practical effect as the perforated pipe and washed rock or gravel, in disbursing and treating effluent.

#### **SEC. 68.347. CHAMBER SYSTEM REQUIREMENTS.**

A chamber disposal system that disposes of effluent from a septic tank installed after the effective date of this chapter shall meet the following requirements:

(a) The minimum length of any leach trench being used as a component of a chamber system shall be at least 200 linear feet.

(b) The chambers shall have IAPMO approval for use in an on-site wastewater treatment system and shall be installed in compliance with section 68.340.

(c) Each chamber shall have a minimum width of 18 inches to provide the equivalent trench bottom absorption area of an 18-inch wide leach trench. Chambers less than 18 inches wide may be used, but will require a correction factor to provide the equivalent trench bottom absorption area of an 18 inch wide leach trench. The chambers shall be installed in a trench 24 to 36 inches deep and be located no closer than 10 feet on center from any adjacent line.

(d) Leach trenches and chambers shall be level, with no more than 2 inches per 100 linear feet of variation in grade.

(e) Chamber trench depth may exceed 36 inches below the ground surface when percolation testing substantiates adequate soil conditions exist at the depth approved to receive and treat effluent. Clean washed rock or gravel, grading 1 to 1-1/2 inches, shall be added to the trench below the chamber to prevent the chamber depth from falling below the approved depth. The maximum trench depth shall not exceed 60 inches unless steep slopes on the property make it impracticable to install the system without placing the chamber trenches below 60 inches. If it is necessary to install leach trenches more than 60 inches below the surface, the property owner shall only be allowed to exceed 60 inches if the installation complies with resource protection provisions in sections 86.601 et seq., grading provisions in sections 87.101 et seq. and the California Occupational Health and Safety Act.

**SEC. 68.348. SUBSTITUTION OF SEEPAGE PIT FOR LEACH TRENCH OR CHAMBER SYSTEM UPON APPROVAL OF DIRECTOR.**

A seepage pit or series of seepage pits may be substituted for or used in conjunction with a leach trench or chamber system. No seepage pit shall be allowed unless the Director determines that using a seepage pit is not likely to contaminate an underground water supply.

**SEC. 68.349. REQUIREMENTS FOR VERTICAL SEEPAGE PITS.**

A vertical seepage pit installed after the effective date of this chapter shall meet the following requirements:

(a) A vertical seepage pit shall be filled with clean washed rock or gravel grading 1 to 1 ½ inches to the cap depth with an IAMPO approved perforated pipe extending from the bottom of the pit to the cap. The sidewall depth below the cap shall not be less than 10' and the cap depth of the vertical seepage pit shall not be less than 3'.

(b) Vertical seepage pits are restricted to coastal, sedimentary basins where the groundwater is already degraded as determined by the Regional Boards.

**SEC. 68.350. REQUIREMENTS FOR HORIZONTAL SEEPAGE PITS.**

A horizontal seepage pit installed after the effective date of this chapter shall meet the following requirements:

(a) A horizontal seepage pit excavation shall be not less than four feet or greater than six feet in width. The seepage pit shall be constructed to a depth where the side wall area of the seepage pit will have uniform soils with sufficient porosity to provide adequate drainage as determined by a percolation test. The sidewall depth below the cap shall not be less than six feet or greater than seven feet.

(b) A horizontal seepage pit shall be filled with clean washed rock or gravel, grading 1 to 1 ½ inches to the cap depth, with a pipe manifold constructed of IAMPO approved materials that will adequately distribute the sewage effluent throughout the seepage pit.

(c) The cap depth of a horizontal seepage pit shall not be less than one foot or greater than 6 feet below the ground surface.

(d) A horizontal seepage pit shall only be allowed where the percolation testing for the site on which the horizontal seepage pit will be installed exhibits uniform soil with a percolation rate of 30 minutes per inch or less.

#### **SEC. 68.351. DIRECTOR MAY MODIFY REQUIREMENTS.**

The Director may modify the requirements of this chapter for an on-site wastewater treatment system when the Director determines that modifying the requirements will not result in any adverse effects on an underground source of water or on the public health and safety and one of the following circumstances apply:

(a) The applicant proposes a smaller size system than required that will have only have limited or occasional use and the proposed system is adequate to accommodate the sewage flows the system will produce.

(b) It is impracticable for an applicant to comply with requirements as to the length of leach trenches or chambers, but the proposed system is able to achieve the same practical effect as the requirements by modifying leach trenches or chamber dimensions.

(c) It is impracticable for an applicant to comply with certain requirements related to the location of system components, but the applicant is able to prevent any adverse effects by the manner in which the applicant installs the system.

#### **SEC. 68.352. GRAYWATER SYSTEMS.**

A graywater system shall comply with chapter 16 of the County Plumbing Code.

**SEC. 68.353. ALTERNATIVE ON-SITE WASTEWATER TREATMENT SYSTEM.**

The Director may issue a permit to install or repair an alternative on-site wastewater treatment system if the system complies with the guidelines issued by the Department of Environmental Health and approved by the Regional Board for design, installation and monitoring. An alternative on-site wastewater treatment system shall only be allowed, however, in (a) the Central Basin Area of the Valley Center Community Plan within the area shown on the map on file with Clerk of the Board of Supervisors (Clerk) as Document No. 0767381, (b) the South Citrus Avenue Basin Area within the area shown on the map on file with the Clerk as Document No. 639534 or (c) to repair an existing on-site wastewater treatment system.

ARTICLE 7. MISCELLANEOUS PROVISIONS

**SEC. 68.360. CROSS CONNECTIONS PROHIBITED.**

No person shall install or allow to be installed an interconnection between a drinking water supply and any equipment or connection of any kind, class or description which may contain water or any liquid or substance that is unfit for human or domestic consumption. The Director may require a water purveyor to discontinue water service to any property that has an improper cross connection.

**SEC. 68.361. FEES.**

A person submitting an application pursuant to this chapter shall submit the fee established by the Board in section 65.107 for that application. An application shall not be considered complete until the applicant has paid the fee. If this chapter requires an inspection, re-inspection, examination, re-examination, test, re-test or any other action by the Director for which the Board has established a fee in section 65.107, the person requesting the action shall submit the fee to the Director at the time the person requests the Director take the action.

Section 2: Title 9, Division 4, Chapter 1 of the San Diego County Code is amended to read as follows:

**CHAPTER 1. COUNTY ADOPTION OF THE CALIFORNIA PLUMBING CODE WITH COUNTY AMENDMENTS**

**SEC. 94.1.001. ADOPTION OF COUNTY AMENDMENTS TO THE PLUMBING CODE PORTION OF THE CALIFORNIA BUILDING STANDARDS CODE.**

Every three years the State of California adopts a new California Plumbing Code, as part of the California Building Standards Code (CBSC). Under Health and Safety Code section 17958 the CBSC becomes effective as to the County of San Diego 180 days after publication by the California Building Standards Commission. Pursuant to Health and Safety Code sections 17958.5 and 17958.7 a county may adopt modifications or changes to the CBSC that are reasonably necessary because of local climatic, geological and topographical conditions.

This chapter adopts as the County Plumbing Code, for the unincorporated area of the County, the 2006 Uniform Plumbing Code (UPC), 2007 California Plumbing Code portion of CBSC and the County of San Diego's modifications, additions and deletions contained in this chapter that are reasonably necessary because of local climatic, geological, or topographical conditions. To determine which of these codes governs in any particular case, code amendments adopted by the State of California shall take precedence over the 2006 UPC and the 2006 UPC shall be used for those code sections not adopted by the State. Amendments the County adopts shall take precedence over both the 2006 UPC and 2007 CBSC provisions. Title 9, Division 1, Chapter 1 of the County of San Diego Code of Regulatory Ordinances, which contains provisions for administration and enforcement of this chapter and other construction codes, shall also be considered a part of the County Plumbing Code.

This chapter is adopted for the protection of the public health and safety. It includes definitions, requirements for permits and inspection for installing or altering systems, regulations for the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, equipment use and maintenance of buildings and structures, including their inspection and provides penalties for violation of this chapter. This chapter shall apply to all new construction and to any alterations, repairs, or reconstruction, except as provided for otherwise in this chapter.

**SEC. 94.1.002. CALIFORNIA PLUMBING CODE.**

As used in this chapter the "California Plumbing Code" means Title 24, Part 5 of the California Code of Regulations which incorporates, by adoption, the 2006 edition of the UPC with California Amendments.

**SEC. 94.1.003. DELETIONS, REVISIONS, ADDITIONS AND NUMERICAL EXPLANATION.**

When deletions, revisions and additions are made in this chapter to the California Plumbing Code, the digits following the first three digits of the section numbers in this chapter refer to the numbering system of the California Plumbing Code: e.g., SEC. 94.1.713.0 refers to section 713.0 of the California Plumbing Code.

**SEC. 94.1.004. ADOPTION OF THE APPENDICES A, B, D AND I OF THE CALIFORNIA PLUMBING CODE.**

Appendices A, B, D and I of the California Plumbing Code are adopted in their entirety as part of the County Plumbing Code.

**SEC. 94.1.005. DELETION OF APPENDICES E, F, K AND L OF THE CALIFORNIA PLUMBING CODE.**

Appendices, E, F, K and L of the California Plumbing Code are deleted in their entirety from the County Plumbing Code.

**SEC. 94.1.713.0. SEWER REQUIRED.**

Section 713 of the California Plumbing Code is revised to read:

**Sec. 713.0 Sewer required.**

**Sec. 713.1** Every building in which plumbing fixtures are installed shall have a connection to a public sewer except as provided in section 713.2.

**Sec. 713.2** When a public sewer is not available for use, drainage piping from buildings and premises shall be connected to an approved on-site wastewater treatment system.

**Sec. 713.3** The Director of the Department of Environmental Health may issue a permit for the installation and operation of a graywater system in the unincorporated area of the County that complies with Chapter 16 of the County Plumbing Code and sections 68.301 et seq. relating to on-site wastewater treatment systems. All plumbing and drainage for a building up to and including the point of connection with any component of the graywater system shall comply with the Plumbing Code and shall be subject to inspection and approval by the building official.

Section 3: This ordinance shall take effect and be in force thirty days after its passage and before the expiration of fifteen days after its passage, a summary hereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce a newspaper of general circulation published in the County of San Diego.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of San Diego this 16<sup>th</sup> day of March, 2011.