

## Chapter 13.08

### ON-SITE SEWAGE TREATMENT AND DISPOSAL CODE\*

#### Sections:

- 13.08.010 Purpose.
- 13.08.020 Title.
- 13.08.030 Definitions.
- 13.08.040 Enforcement.
- 13.08.050 Permit-Required.
- 13.08.053 CEQA review required.
- 13.08.055 Violation penalty.
- 13.08.060 Permit - Issuance and fee.
- 13.08.065 Installation or repair under permit.
- 13.08.070 Permit - Validity.
- 13.08.080 Permit - Posting.
- 13.08.090 Permit - Water supply.
- 13.08.100 Final approval under permit.
- 13.08.110 Permit conditions; emergencies.
- 13.08.120 Permit - Inclusion of backfilling abandoned septic tank.
- 13.08.130 Permit not to be construed to authorize violation.
- 13.08.140 Liability of County.
- 13.08.150 Public sewer connections.
- 13.08.160 Exceptions where community sewers are proposed.
- 13.08.170 Illegal occupancy.
- 13.08.180 Privies.
- 13.08.190 Cesspools, seepage pits and sewage wells.
- 13.08.200 Plumbing Code exceptions and superseding provisions.
- 13.08.201 Amendments necessary.
- 13.08.205 Technical standards - Compliance required.
- 13.08.210 Onsite wastewater treatment system.
- 13.08.220 General conditions.
- 13.08.221 Materials standards.
- 13.08.230 Minimum criteria for standard systems.
- 13.08.231 Minimum standards for graywater systems.
- 13.08.240 Leach field and leach bed design for standard systems.
- 13.08.249 Septic tank requirements.
- 13.08.250 Provisions concerning sizing of standard septic tank and disposal field systems.
- 13.08.260 Fiberglass septic tanks.
- 13.08.261 Dosing tanks.
- 13.08.262 Grease interceptors or traps.
- 13.08.270 Special design systems.
- 13.08.280 Location of onsite wastewater treatment system.
- 13.08.290 Abandoned sewers and sewage disposal facilities.
- 13.08.300 Inspections under sewage disposal permit.
- 13.08.310 Use and repair of existing onsite wastewater treatment system.
- 13.08.311 Discharge restrictions - Pollution prohibited.
- 13.08.320 Minor deviations from ordinance requirements.
- 13.08.330 Technical advisory committee.
- 13.08.340 Appeals.
- 13.08.350 Violation; enforcement.

\*Prior ordinance history: Ordinance 1171; prior code Section 24

**13.08.010 Purpose.** The purpose of this Chapter is to establish minimum requirements for the protection of public health, welfare, and safety in the design, construction, maintenance, and use of sewage disposal systems and to protect surface and ground water from contamination by inadequately treated sewage. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part) 2007; Ord. 1333 § 1 (part), 1984).

**13.08.020 Title.** This Chapter shall be known and may be cited as the “Tuolumne County On-Site Sewage Treatment and Disposal Code.” (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part); Ord. 2078 § 1, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.030 Definitions.** Unless the context otherwise requires, the following definitions shall be used in the interpretation and construction of this Chapter:

“Approved” or “Approval” means an action of approval by the Environmental Health Director.

“Board” means the Board of Supervisors of the County.

“California Plumbing Code” or “CPC” means the latest adopted edition of the California Plumbing Code, California Code of Regulations, Title 24, Part 5.

“Consultant” means any individual authorized under California law to design individual sewage disposal systems.

“County” means the County of Tuolumne, a political subdivision of the state of California.

“Drainage system” means all the piping within public or private premises which convey sewage or other liquid wastes from a structure to a point of disposal, but shall not include any portion of a public sewage system.

“Effluent” means any liquid wastes or sewage of which a portion of the solids have been removed by a primary treatment method.

“Environmental Health Division” means the Environmental Health Division of the Tuolumne County Community Resources Agency.

“EPA Manual” means the U.S. EPA Onsite Wastewater Treatment and Disposal Systems Design Manual (October 1980) and the U.S. EPA Onsite Wastewater Treatment Systems Manual (February 2002).

“Graywater” means untreated household wastewater which has not come into contact with toilet waste. Graywater includes used water from bathtubs, showers, bathroom washbasins, and water from clothes washing machines and laundry tubs. It shall not include wastewater from kitchen sinks, dishwashers or laundry water from soiled diapers.

“High strength wastewater” means wastewater having a 30-day average concentration of biochemical oxygen demand (BOD) greater than 300 mg/L or a fats, oil, and grease (FOG) concentration greater than 100 mg/L prior to the septic tank or other onsite wastewater treatment system component.

“Impaired water body” means a surface water body or segment thereof that is identified on a list approved by the State Water Resources Control Board and the US EPA pursuant to Section 303(d) of the federal Clean Water Act.

“Health Officer” means the County Health Officer or his/her duly authorized representative.

“Onsite wastewater treatment system” or “OWTS” means individual disposal systems, community collection and disposal systems, and alternative collection and disposal systems that use subsurface disposal. OWTS does not include “graywater” systems pursuant to Health and Safety Code section 17922.12.

“Septic tank” means a watertight receptacle which receives the discharge of a drainage system or part thereof, designed and constructed so as to retain solids, digest organic matter during a period of detention, and allow the effluent to drain into a subsurface absorption system or its equivalent.

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

“Sewage disposal system” means any sewer system, OWTS, graywater system, disposal plan, septic tank, drainage system, seepage pit, chemical toilet, privy or other facility constructed for the purpose of receiving sewage or its effluent.

“Sewage well” means any hole used for disposal of sewage that has been dug or drilled into the ground and extends to or into the subterranean water-bearing stratum which is used or may be used as a domestic water source.

“Soil” means the unconsolidated material lying naturally on the surface of the earth that possesses percolative, infiltrative, and filtration capabilities. For the purposes of this Chapter, the USDA system of soil classification will be used including the USDA textural triangle. (Ord. 3324 § 2, 2018; Ord. 3134 § 8, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 2, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.040 Enforcement.** The provisions of this Chapter shall be enforced by the Environmental Health Division. (Ord. 3324 § 2, 2018; Ord. 3134 § 9, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part) 2007; Ord. 1333 § 1 (part), 1984).

**13.08.050 Permit - Required.**

A. No person, whether as principal, servant, agent, employee, owner or tenant, or otherwise, shall construct, install, replace, or repair any OWTS or private sewage disposal system in any area of Tuolumne County without first having obtained a sewage disposal permit from the Environmental Health Division. If such OWTS or private sewage disposal system is to be constructed or installed for a new dwelling, the sewage disposal permit shall be obtained prior to the commencement of construction for such new dwelling. Applications for sewage disposal permits shall be made in such manner and on such forms as the Environmental Health Division directs and devises.

B. A sewage disposal permit shall be required for modification of any part of the septic tank and/or leach field other than pumping of a septic tank, including the addition or replacement of leach field trenches. (Ord. 3324 § 2, 2018; Ord. 3134 § 10, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1, (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.053 CEQA review required.**

A. A review pursuant to the California Environmental Quality Act (CEQA) shall be conducted prior to the approval or conditional approval of a sewage disposal permit when:

1. A cultural resource is determined to be present on the project parcel pursuant to Chapter 14.10; and

2. The cultural resource cannot be avoided as established in Chapter 14.10.

B. A review of the impacts of the proposal on cultural resources shall be conducted in compliance with Chapter 14.10 of this Code to determine the appropriate conditions necessary to protect cultural resources. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2280 § 12, 1999).

**13.08.055 Violation penalty.** An applicant for a permit to legalize a violation of this Chapter, after service of a notice and order in accordance with Chapter 1.10 of this Code, shall pay a violation penalty and associated abatement costs as established by the Board of Supervisors and set forth in Chapter 1.10 of this Code. This penalty and abatement costs shall be paid in addition to the regular permit processing fee. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2612 § 4, 2005; Ord. 2296 § 4, 1999; Ord. 2018 § 1 (part), 1993).

**13.08.060 Permit - Issuance and fee.** The permit required shall be issued on a standard form supplied for that purpose. A fee shall be charged for such permit in accordance with Chapter 3.40 of this

Code. (Ord. 3324 § 2, 2018; Ord 3134 § 11, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.065 Installation or repair under permit.**

Construction, installation, replacement, or repair of an OWTS or private sewage disposal system shall be performed by contractors licensed as required in accordance with the provisions of the Contractors' State License Law (California Business & Professions Code section 7000 et seq.). Nothing herein shall be construed so as to prevent a resident or owner from doing his/her own work. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1792 § 1, 1990).

**13.08.070 Permit - Validity.**

A. It is the responsibility of any and all persons performing any part of the construction, installation, replacement, or repair of an OWTS or private sewage disposal system to ascertain that a valid sewage disposal permit has been issued by the Environmental Health Division prior to initiation of any repair or installation.

B. Upon issuance of a sewage disposal permit, the permittee shall have one year from the date of issue to commence work authorized under the permit. The work authorized under the permit shall be completed with final inspection by the Environmental Health Division within eighteen months of the date of permit issuance.

C. Any permittee holding any unexpired permit may apply for an extension of time within which he/she may commence and/or complete the work under that permit when he/she is unable to commence/complete work within the time required by this Section for good and satisfactory reason, provided no changes have been made or will be made in the original plans and specifications for such work. The Environmental Health Division may extend the time for action by the permittee for a period of up to three hundred sixty five days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. In order to renew action on a permit after expiration, the permittee shall pay the staff hourly cost with a one hour minimum upon applying for a permit renewal for permits that expired on or after July 1, 2008. The permittee shall pay a new full permit fee to renew action on a permit that expired prior to July 1, 2008. (Ord. 3324 § 2, 2018; Ord. 3134 § 12, 2010; Ord. 3061 § 1, 2009; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1864 § 1, 1991; Ord. 1333 § 1 (part), 1984).

**13.08.080 Permit - Posting.** The sewage disposal permit shall be posted at a suitable location on the

property when work commences, and shall remain posted until inspection and final approval by the Environmental Health Division. (Ord. 3324 § 2, 2018; Ord. 3134 § 13, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.090 Permit - Water supply.** Location of the water supply shall be included as a condition of the permit. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.100 Final approval under permit.** No blue tag for electrical hookup shall be issued by the Building and Safety Division of the Community Resources Agency without certification of compliance with all conditions of the sewage disposal permit by the Environmental Health Division. (Ord. 3324 § 2, 2018; Ord. 3134 § 14, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2314 § 40, 1999; Ord. 1333 § 1 (part), 1984).

**13.08.110 Permit conditions; emergencies.** Any person who shall commence any work for which a permit is required by this Chapter without first having obtained a permit therefor or who fails to comply with the terms and conditions of said permit shall be in violation of this Chapter. Work may commence prior to obtaining a permit for emergency work only when it shall be proven to the satisfaction of the Environmental Health Division that such work was urgently necessary and that it was not practical to obtain a permit before commencement of the work. In all such cases, a permit must be obtained as soon as it is practical to do so and if there is any unreasonable delay in filing an application for such permit a double fee shall be charged. For the purpose of this Section, an unreasonable delay shall be considered to be a period of time in excess of seven days. (Ord. 3324 § 2, 2018; Ord. 3134 § 15, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2296 § 14, 1999; Ord. 2078 § 3, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.120 Permit - Inclusion of backfilling abandoned septic tank.** When a permit has been obtained to connect an existing building or an existing facility to the public sewer, backfilling of a private septic tank abandoned consequent to such connection is included in the building sewer permit. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.130 Permit not to be construed to authorize violation.**

A. The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for or an approval of any violation of any provisions of this Chapter. No permit presumed to give authority to violate or cancel provisions of this Chapter shall be valid except insofar as the work or use which it authorizes is lawful. The issuance or granting of a permit or approval of plans shall not prevent the Environmental Health Director from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried out thereunder when in violation of this Chapter or any other ordinance, law or regulatory provision.

B. All installations shall be installed as designed and approved. Any variations from an approved design shall require a revised plot plan and shall be the subject of new approval prior to commencement of construction.

C. Any OWTS or sewage disposal system constructed or used in violation of this Chapter constitutes a public nuisance, is dangerous to health, and may be enjoined or summarily abated in the manner provided by law. (Ord. 3324 § 2, 2018; Ord. 3134 § 16, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 4, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.140 Liability of County.** This Chapter shall not be construed as imposing upon the County any liability or responsibility for damage resulting from any OWTS or sewage disposal system as herein provided; nor shall the County, or any official employee thereof, be held as assuming such liability or responsibility by reason of the activities authorized hereunder. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.150 Public sewer connections.**

A. Every building in which plumbing fixtures are installed, including dwellings, places of business, or other structures in which persons reside, congregate or are employed, and any building or structure from which sewage may originate, shall connect to a public sewer when such a public sewer is available. For the purposes of this Section, a public sewer is defined as being available when the following conditions exist:

1. The agency operating the sewer has agreed to permit connections;
2. The public sewer is located three hundred feet or less from the proposed building as measured over an existing public right-of-way or public utility easement. If the private sewer to be

connected is at a lower elevation than the public sewer, the distance described herein shall be one hundred feet or less via public easement;

3. The character of flow in the public sewer at the point of connection is the type of flow commonly known as open channel flow so that there is an air space above the sewage in a public sewer pipe under normal operating conditions at the time of the sewer connection.

B. This Section shall not be construed to prevent the connection of a private sewer to a public sewer if the applicant chooses to do so, provided the condition set forth in subsection A(1) of this Section has been met and approval of the Environmental Health Director has been obtained even though the public sewer is under pressure or at a greater distance than specified herein.

C. When no public sewer is available as defined above, the private sewer shall be connected to an OWTS or private sewage disposal system.

D. Within the limits prescribed by subsection A of this Section, the rearrangement or subdivision into smaller parcels of a parcel for which public sewer available shall not be deemed cause to permit the construction of an OWTS or private sewage disposal system, and all plumbing or drainage systems on any such smaller parcel or parcels shall connect to the public sewer. (Ord. 3324 § 2, 2018; Ord. 3252 §1, 2014; Ord. 3134 § 17, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 2, 2000; Ord. 1333 § 1 (part), 1984).

**13.08.160 Exceptions where community sewers are proposed.** In any area of the County where a public entity has proposed community sewers and has obtained all required approval and funding for such community sewers and has established a plan and time schedule for the installation of community sewers, the Environmental Health Director may allow such standards and equipment for a temporary septic tank and effluent disposal system that the Environmental Health Director shall determine is adequate to serve any building or dwelling or mobilehome on a temporary basis until the scheduled community sewers are available. The Environmental Health Director may revoke his/her permission to utilize such temporary systems if at any time he/she determines such temporary systems are a detriment to the public health. Any property owner seeking permission to utilize a temporary OWTS under the provisions of this Section shall present to the Environmental Health Director an agreement in a form suitable for recording to connect to the community sewer as soon as it is available to the property. (Ord. 3324 § 2, 2018; Ord. 3134 §18, 2010; Ord. 2863 § 1, 2007;

Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.170 Illegal occupancy.** It is unlawful for any person to maintain or use any dwelling, place of business, or other building or place where a person resides, congregates or is employed in violation of the terms and conditions of the sewage disposal permit or which is not provided with or having access to means for the disposal of human wastes, either by connection to an approved OWTS or sewage disposal system or to a public sewer. Where he/she deems it impractical or impossible to do otherwise, the Environmental Health Director, in consultation with the Health Officer, may allow privies or chemical toilets, provided that approved methods of construction and maintenance are adhered to in such installations. Such privies or chemical toilets may be installed and used only with written permission of the Environmental Health Director. (Ord. 3324 § 2, 2018; Ord. 3134 § 19, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 5, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.180 Privies.**

A. No person shall construct, maintain or use any privy permitted by the provisions of this Chapter unless the following conditions are complied with:

1. The sewage deposited therein shall fall into a vault or pit in the ground constructed especially for the purpose.

2. The privy building and privy vault or pit shall be at all times inaccessible to rodents and insects.

3. The privy building and vault or pit shall be constructed in such a manner as to prevent the entrance of rainwater and surface water into the vault or pit.

4. Seat covers and door shall be self-closing. The base shall be banked with earth and the vent pipe shall extend from the vault or pit to one foot above the roof. The top shall be screened with 16 mesh screen.

5. All parts of the privy building shall be maintained in a clean and sanitary condition at all times.

B. The privy shall not be allowed to become filled with excreta to a point within one foot of ground surface. The excreta in the pit shall be covered with earth, ashes, lime or some similar substances at regular intervals, or if a concrete vault, it shall be pumped out as needed. It shall be maintained in a sanitary condition and in good repair. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007, Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.190 Cesspools, seepage pits and sewage wells.** Cesspools, seepage pits and sewage wells are unlawful and are declared to be a nuisance. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.200 Plumbing code exceptions and superseding provisions.** The following provisions and sections of the CPC are amended, modified and superseded as follows:

A. Chapter 1 (Administration), Sections 104.0 (Permits), 105.0 (Inspections and Testing) and 106.0 (Violations and Penalties), in regards to onsite sewage treatment and disposal, are replaced by the organization, enforcement, permit and inspections provisions shall be as set forth in Chapter 1.10 and Sections 13.08.040 through 13.08.130 and Section 13.08.350 of this Code to provide for local permitting and management of sewage disposal systems by the Environmental Health Division.

B. Sections 713.1, 713.2, 713.3, and 713.4 of Chapter 7 are replaced by Section 13.08.150 of this Code.

C. Section H101.8 of Appendix H is replaced by Section 13.08.310(C) of this Code to clarify requirements for use of an adjacent parcel for sewage treatment and disposal.

D. Sections 722.4 and 722.5 of Chapter 7 are replaced by Section 13.08.290 of this Code so that the terms "Department having jurisdiction" and "Administrative Authority" are replaced with "Environmental Health Director".

E. Table 721.1 of Chapter 7 is replaced by Table 2, set forth in Section 13.08.280 of this Code.

F. The following provisions and sections of Appendix H are amended, modified and superseded by Sections 13.08.190, 13.08.210, 13.08.220, 13.08.230, 13.08.240, 13.08.249, 13.08.262, 13.08.270, 13.08.280, 13.08.290 and 13.08.310 of this Code.

1. CPC Appendix H, Sections H201.0, H301.0, H401.0, H501.0, H601.0, H701.0, H801.0, H901.0, H1101.0 and Table H101.8.

2. Table H201.1(1) is amended to provide that the minimum septic tank capacity for a single-family dwelling shall be one thousand gallons.

(Ord. 3324 § 2, 2018; Ord. 3134 §§ 20, 21, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 3, 2000; Ord. 2078 § 6, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.201 Amendments necessary.** The modifications, deletions and amendments of standards enacted by this Chapter are merely a continuation of the Tuolumne County onsite sewage treatment and disposal code, and all changes and

modifications to the CPC, whether previously enacted or contained in this Chapter, are reasonably necessary because of local climatic, geographical, or topographical conditions.

A. Sections 713.1, 713.2, 713.3 and 713.4 of Chapter 7 are replaced by Section 13.08.150 of this Code because of topographic conditions along the route of the Twain Harte sewer interceptor, which was installed primarily to transport Twain Harte's sewage to the Sonora treatment facility, and is pressurized along much of its route to overcome elevation differences. Although many homes are within two hundred feet of the sewer line, often the nearest open-channel connection point is much farther away, making connection impractical or impossible.

B. Table 721.1 of Chapter 7 and Table H101.8 of Appendix H are replaced by Table 2 of Section 13.08.280 of this Code for the following reasons:

1. Geographic conditions in Tuolumne County such as high seasonal groundwater, shallow soil mantles, and highly fractured bedrock, prevent the safe use of seepage pits and cesspools. Because their installation is not allowed, that portion of the table was deleted.

2. Many topographic features common to Tuolumne County are not specifically addressed by the CPC. Therefore, sanitary setbacks for drainage courses, ephemeral, and intermittent streams, cutbanks and fill banks, water supply canals, and lakes or reservoirs where use is, or may be intended as a public water supply, etc. have been included in the above-referenced table.

C. Seepage pits as referred to in Appendix H, Section H701.0 are prohibited by Section 13.08.190 of this Code due to the fractured rock geology in Tuolumne County.

D. The CPC does not adequately address soil types found in Tuolumne County. Therefore, Sections H301.0 and H401.0 of Appendix H are replaced by Sections 13.08.220, 13.08.230 and 13.08.240 of this Code which are based on the USDA soil textural triangle, commonly used by this area's consultants, nationally recognized experts, and the EPA Manual.

E. Seepage pits and cesspools as referred to in Sections H701.0 and H801.0 of Appendix H are prohibited by Section 13.08.190 due to the fractured rock geology in Tuolumne County. Geographic conditions in Tuolumne County such as high seasonal groundwater, shallow soil mantles, and highly fractured bedrock, prevent the safe use of seepage pits and cesspools.

F. In Appendix H, Section H101.0 is replaced by Sections 13.08.210, 13.08.220, 13.08.230, and 13.08.270 to present a more modern, clear, and regulatory mechanism than the

CPC wording, and to be integrated with other local ordinances, state Regional Water Quality Control Board standards, and the Tuolumne County general plan.

G. The last sentence of Section H201.1 is deleted because sizing of septic tanks should be based on the daily liquid waste production instead of percolation rates. It is the leach field that is to be sized on the percolation and application rates of the soil. Because a good indicator of soil permeability is the texture and structure of the soil mantle (which is surveyed for each new installation), percolation tests are not always required, thereby making the use of the referenced Table H201.1(4) inapplicable.

H. Sections H301.0 and H401.0 of Appendix H are replaced by Sections 13.08.220, 13.08.230 and 13.08.240 which are based on the USDA soil textural triangle, commonly used by this area's consultants, nationally recognized experts, and the EPA Manual. These changes are based upon local geography and topography and were reviewed by local consultants.

I. Section H601.0 of Appendix H is replaced with the provisions of Section 13.08.240 to be more responsive to local geographic conditions than in the CPC. It contains all of the elements of the CPC except that seepage pits and cesspools are not allowed due to local geographic conditions.

J. Sections H701.0 and H801.0 of Appendix H are replaced with Section 13.08.190 which deems seepage pits and cesspools to be unlawful due to previously mentioned local geographic conditions.

K. Section H901.0 of Appendix H is amended by Section 13.08.262, which is essentially similar to the CPC but allows grease traps in addition to two-compartment interceptors. Grease traps are commonly used and are more easily inspected and cleaned. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 4, 2000; Ord. 2078 § 7, 1994).

**13.08.205 Technical standards - Compliance required.** All OWTS and private sewage disposal systems shall comply with the Tuolumne County Local Agency Management Plan, (LAMP), approved by the State Water Resources Control Board pursuant to the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (June 19, 2012), the CPC, and the EPA Manual, and this Code. In the event of a conflict among these standards, resolution shall be determined in the order set forth as follows:

- A. The LAMP.
- B. This Code.
- C. The CPC.
- D. The EPA Manual.

(Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 8, 1994).

#### **13.08.210 Onsite wastewater treatment system.**

A. Where permitted by Section 713 of the CPC as modified by this Chapter, the building sewer for a building containing not more than five dwelling units may be connected to an OWTS complying with the provisions of this Chapter if allowed by the general plan and Title 17. The system, except as otherwise provided, shall consist of a septic tank with effluent discharging into a subsurface disposal field. The size and arrangement of such systems shall be determined on the basis of location, area and slope of land in the disposal area, soil character, and groundwater level and shall be designed to receive all sanitary sewage from the property based on potential occupancy of the dwellings served.

B. Where the system is intended to serve any use other than dwellings as described above, where the disposal area is insufficient for a standard system or the slope in the disposal area exceeds thirty percent, or where soil or groundwater conditions may impose limitations on standard OWTS, plans for a special design OWTS shall be required. Plans for special design systems shall be prepared and signed by a consultant. Plans for all such special design OWTS shall be submitted to the Environmental Health Director for review and approval prior to commencement of construction unless exempted by federal law or other County ordinance.

C. Where the system is intended to serve projected wastewater flows in excess of 10,000 gallons per day, small community systems for service of more than four individual parcels, and systems which produce high strength wastewater or significant amounts of waste from recreational vehicle holding tanks, the existing, new and replacement OWTS shall be regulated separately by the applicable Regional Water Quality Control Board and no Environmental Health permit shall be required. (Ord. 3324 § 2, 2018; Ord. 3134 § 22, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 5, 2000; Ord. 1333 § 1 (part), 1984).

#### **13.08.220 General conditions.**

A. If the Environmental Health Director determines that there is insufficient disposal area, or that soil conditions, groundwater conditions, or topographic restraints will not permit installation of a standard OWTS, no sewage disposal permit shall be issued, and no OWTS shall be permitted unless a special design OWTS is first approved by the Environmental Health Director.

B. Nothing contained in this Chapter shall be construed to prevent the Environmental Health Director from requiring compliance with higher requirements than those contained herein where such higher requirements are essential to maintain a safe and sanitary condition, and therefore the Environmental Health Director may impose reasonable conditions on the permit.

C. The Environmental Health Director and his/her authorized representatives shall have the right of entry during usual business hours to inspect any and all buildings and premises in the performance of their duties connected with this Chapter.

D. No property shall be improved in excess of its capacity to properly absorb sewage effluent in the quantities and by the means provided in this Code.

E. The Environmental Health Director may grant exceptions to the provisions of this Chapter, for permitted structures which have been destroyed due to fire or natural disaster, and which cannot be reconstructed in compliance with these provisions, if the exception is found to meet current public health standards equivalent to this Code. The Health Officer shall be notified regarding any granted exceptions.

F. The Environmental Health Director may approve, conditionally approve, or deny sewage disposal permits. A decision to deny a permit shall be made by the Environmental Health Director with concurrence by the Health Officer and shall be set forth in writing and shall specify the grounds for the denial. In granting a permit, the Environmental Health Director shall attach whatever conditions are reasonable and necessary to fulfill the intent and purposes of this Chapter and Title 14. Such conditions and the proposal of the applicant as considered and approved shall be a part of such permit. Issuance of a permit may be made subject to guarantees, executed by the Environmental Health Director, and evidence that attached conditions are being or will be met. Such conditions may include compliance with an Operation Maintenance and Monitoring Program. (Ord. 3324 § 2, 2018; Ord. 3134 § 23, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2280 § 13, 1999; Ord. 2078 §§ 9, 10, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.221 Materials standards.** All perforated pipe, piping, inlet/outlet piping and other materials used in the construction, installation, replacement, alteration or repair of OWTS or sewage disposal

systems shall conform to the standards of the CPC as revised by this Code. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 11, 1994).  
criteria set forth in this Section.

A. Disposal systems shall be designed to utilize the most permeable or absorptive portions of the soil formation.

B. There shall be a minimum of five feet of permeable soil below the bottom of a leach trench or bed.

C. Depth to anticipated seasonal high groundwater below the leaching trench or bed shall not be less than five feet. Greater soil depths are required if soils do not provide adequate filtration.

D. The five foot requirements set forth in subsections B and C of this Section may be reduced by up to six inches pursuant to Section 13.08.320.

E. Ground slope in the disposal area shall not be greater than thirty percent. Leaching trenches or beds shall not be installed on benches created for this purpose.

F. All OWTS and private sewage disposal systems shall be so situated on the parcel that additional subsurface drain fields, equivalent to at least one hundred percent of the required original system, may be installed in an area. Area reserved for such use shall not become the site of any surface improvements.

G. The active, working portion of the soil filter media used for treatment of septic effluent shall have a soil texture as defined by zone 2 and 3 of the textural triangle shown in Figure 1.

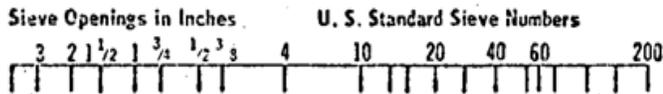
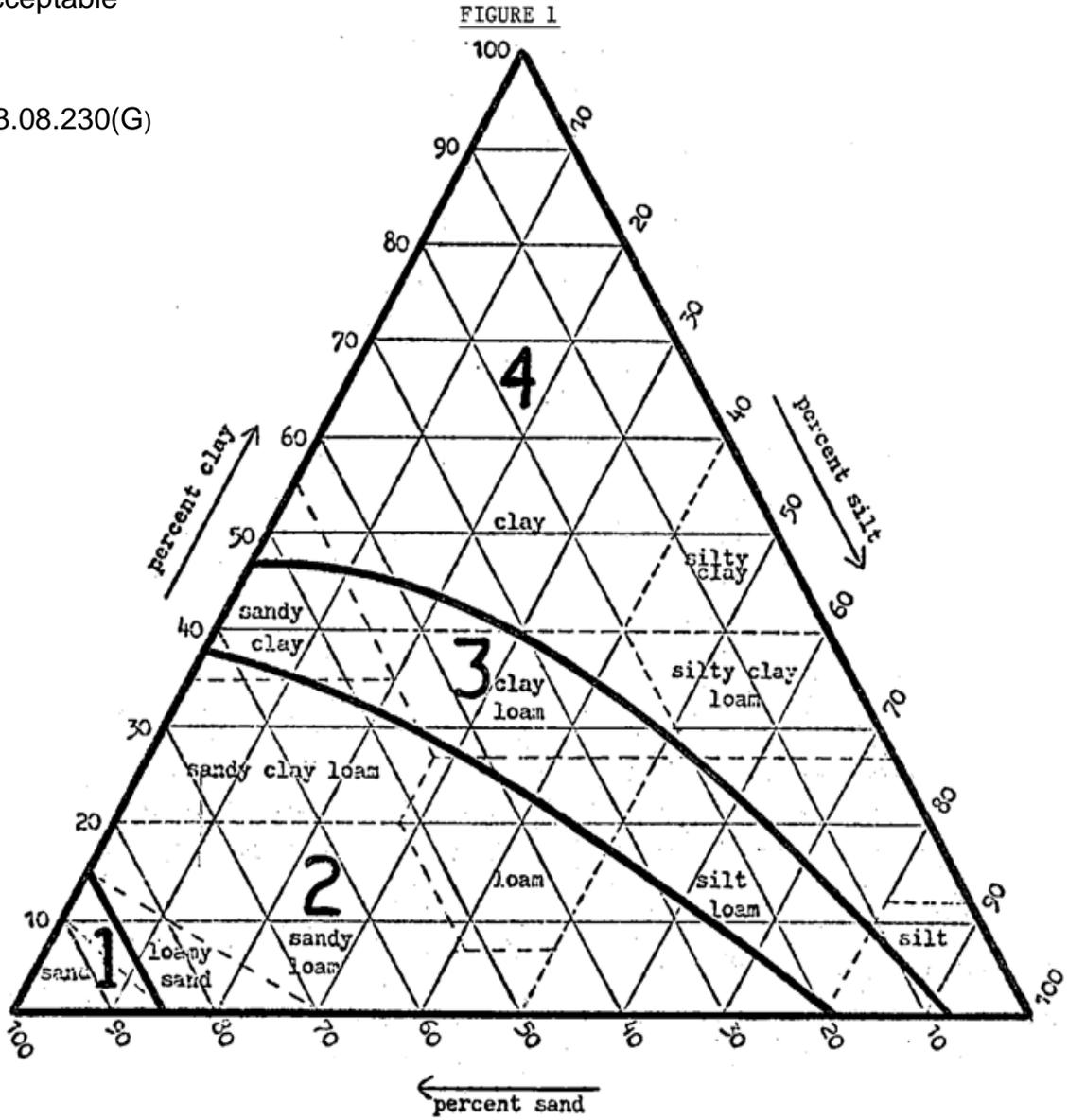
H. Application rates shall be determined by either percolation tests or soils textural classifications. Verification of initial field tests by Environmental Health Specialists will be conducted using the field test methods outlined in the EPA Manual. Percolation tests shall be conducted as specified in the EPA Manual. The percolation rate in the disposal area shall not be slower than one-hundred and twenty minutes per inch for standard leach trenches or beds. The percolation rate in the disposal area shall not be faster than six minutes per inch for standard leach trenches or beds. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2208 § 1, 1997; Ord. 2078 § 13, 1994; Ord. 1333 § 1 (part), 1984)

(See percolation chart on next page)

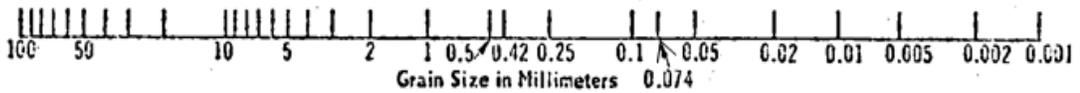
# SOIL PERCOLATION SUITABILITY CHART

- Zone 1 = Coarse
- Zone 2 = Acceptable
- Zone 3 = Marginal
- Zone 4 = Unacceptable

See Section 13.08.230(G)



USDA	GRAVEL	SAND					SILT	CLAY
		Very Coarse	Coarse	Medium	Fine	Very fine		



In case of dispute, the following instructions will be followed:

1. Plot texture on triangle based on percent sand, silt, and clay as determined by hydrometer analysis.
2. Adjust for coarse fragments by moving the plotted point in the sand direction an additional 2 percent for each 10 percent (by volume) of fragments greater than 2mm in diameter.
3. Adjust for compactness of soil by moving the plotted point in the clay direction an additional 15 percent for soils having a bulk-density greater than 1.7 gm/cc. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 13, 1994; Ord. 1333 § 1 (part), 1984).

**13.08.231 Minimum standards for graywater systems.** All graywater systems shall be sized

using the application rate criteria specified in Section 13.08.230. Graywater systems shall comply with any additional standards contained in the CPC. (Ord. 3324 § 2, 2018; Ord. 3252 §2, 2014; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 6, 2000; Ord. 2078 § 12, 1994)

**13.08.240 Leach field and leach bed design for standard systems.**

A. Flow rates for single and multiple-family dwellings shall be based on a minimum of three hundred gallons per day plus one hundred gallons per day for each bedroom beyond two in a residential unit.

B. Sewage application rates for leach trenches and beds and leaching chambers shall be as described in Table 1. (See Table 1 below)

**TABLE 1**

<u>Sewage Application Rates</u>		
Soil Type	Percolation rate Minutes/Inch	Application Rate Gallons/Ft <sup>2</sup> /Day
Gravel and coarse sand	<1	Not suited for standard system
Coarse to medium sand	1-5	Not suited for standard system
Fine sand, loamy sand	6-15	0.80
Sandy loam, loam	16-30	0.60
Loam, porous silt loam	31-60	0.45
Silty clay loam, clay loam	61-120	.20 <sub>a</sub>
Any soil type producing percolation rate in excess of 120 minutes/inch	>120	Not suited for standard system

- a. These soils may be easily damaged during construction and shall require special care during construction as specified by the Environmental Health Division to avoid compaction, smearing and other soil damage.

Absorption surfaces for leach trenches shall be based on trench bottom area and sidewall area below the drainpipe. The absorption surface for leach beds shall be considered to be the base of the leach bed. Leaching chambers shall be sized on the bottom absorption area (nominal unit width) in square feet. The required area shall be calculated using Table 1 with a 0.70 multiplier (that is a 30% reduction in calculated length may be used).

C. Distribution lines shall be constructed of perforated plastic pipe authorized by the CPC. All bends used in the disposal field shall be made with

manufactured fittings. The mitering of drainpipe is prohibited.

D. Before placing filter material in a prepared excavation, all smeared or compacted surfaces shall be removed from trenches by raking to a depth of one inch and the loose material removed. Clean stone, gravel, slate or similar filter material acceptable to the Environmental Health Director, varying in diameter from three-fourths (¾) inch to two and one-half (2½) inches, shall be placed in the trench to the depth and grade required by this Section. Drainpipe shall be placed on filter material in an approved manner. The drain lines shall then

be covered with filter material to the minimum depth required by this Section and covered with untreated building paper, filter fabric, straw or similar porous material to prevent closure of voids with earth backfill. No earth backfill shall be placed over the filter material cover until after inspection and acceptance.

E. There shall be at least one distribution box for each OWTS. The distribution box shall be constructed at the head of each disposal field and must be of sufficient size to receive lateral line. The crowns of all outlets shall be level and the inlet invert shall be at least two inches higher than any lateral outlet invert. The overflow invert shall be two inches higher than a lateral invert. Plastic and fiberglass distribution boxes shall be built on a level concrete slab installed in natural or compacted soil.

F. All laterals from distribution box to the disposal field shall have approved pipe with watertight joints. Multiple field laterals, wherever practicable, shall be of uniform length.

G. Connections between a septic tank and a distribution box, or between a distribution box and drain field, shall be laid with approved watertight joints on natural ground or compacted to the natural equivalent.

H. Disposal fields shall be constructed as follows:

Minimum number of drain lines per field	1 line
Maximum length of each line .....	100 feet
Minimum bottom width of trench.....	12 inches
Maximum depth of trench.....	10 feet
Minimum spacing of lines, edge to edge	5 feet
Minimum depth of earth cover over lines	12 inches
Minimum filter material under drain lines	18 inches
Minimum filter material over drain lines....	2 inches

I. Perforated pipe shall be laid level up to a maximum of three inches per one hundred feet slope and with the end of the line capped.

J. Minimum spacing between trenches or leaching beds shall be five feet plus two feet for each additional foot of depth in excess of one and one-half feet below the bottom of the drain line.

K. No part of the absorption field shall be placed under a paved area, roadway or structure. If necessary to cross under such construction, watertight lines of material acceptable for the building sewer shall be used.

L. Where intercept drains are required on new installations, a complete engineered plan shall be submitted by a consultant to the Environmental Health Division.

M. The OWTS shall be so designed to receive all domestic sewage from the property. No cooling water, water softener brine, groundwater, oil,

hazardous wastes or materials, roof or other surface drainage shall be discharged into any OWTS.

N. Inspection risers shall be required at the terminal end of each leach line. The riser shall be separate from the distribution line. The risers shall be capped and constructed to preclude entrance of rain or surface water and shall allow a determination of the depth of sewage effluent in each trench. (Ord. 3324 § 2, 2018; Ord. 3134 §§ 24, 25, 26, 2010; Ord. 3061 § 2, 2009; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 7, 2000; Ord. 2208 § 2, 1997; Ord. 2078 §§ 14, 15, 1994; Ord. 1777 § 1, 1990; Ord. 1333 § 1 (part), 1984).

**13.08.249 Septic tank requirements.**

A. All water from bathrooms, kitchens, laundry fixtures and other household plumbing shall pass through an approved septic tank or other approved sedimentary tank prior to its discharge into the soil. The septic tank design shall be such as to produce a clarified effluent consistent with accepted standards, and shall provide adequate space for sludge and scum accumulation.

B. Structural plans for the construction of all septic tanks shall be submitted to the Tuolumne County Community Resources Agency for approval prior to approval of the sewage disposal permit. Such plans shall show all dimensions, reinforcing, structural calculations, and such other pertinent data as may be required to ensure compliance with the CPC as revised by this Chapter.

C. The required minimum septic tank capacity shall be as follows:

Number of Bedrooms	Gallons
1-3 .....	1,000
4 .....	1,200
5-6 .....	1,500

Note: Extra bedroom, 150 gallons each.

D. For all other uses not specified in subsection C of this Section, the capacity of all septic tanks shall conform to Table H201.1(1) or Table H201.1(2) of the CPC as determined by the number of bedrooms or apartment units in dwelling occupancies and the estimated waste/sewage design flow rate or the number of plumbing fixture units as determined from Table 702.1 of the CPC, whichever is greater.

E. All in-place septic tank construction shall require a building permit from the Tuolumne County Community Resources Agency. The liquid capacity of the septic tank shall be approved by the Environmental Health Division.

F. Approved aerobic systems may be substituted for conventional septic tanks provided that the Environmental Health Director is satisfied that such systems will produce results at least equivalent to septic tanks, whether their aeration systems are operating or not. (Ord. 3324 § 2, 2018; Ord. 3134 §§ 27, 28, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 8, 2000; Ord. 2314 §§ 41 & 42, 1999; Ord. 2078 § 16, 1994).

**13.08.250 Provisions concerning sizing of standard septic tank and disposal field systems.**

No septic tank and disposal field sizing shall be considered for a residential structure to be less than that for a two-bedroom dwelling. Dormitories and loft areas will be considered as multiple bedrooms based on one hundred twenty square feet per bedroom unit, based on floor area with a possible eight feet or greater floor-to-ceiling clearance. No single-family residence containing dormitory or loft area or areas shall have more than a four-bedroom value assigned to the dormitory or loft area or areas. Any room in a proposed residence classified as a sewing room, den or recreation room will be considered a bedroom if a provision for a permanently constructed closet is present. The expansion of a residence premises to add one or more bedrooms shall require the septic tank and leach field sizing of the premises to be as provided in this Chapter. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.260 Fiberglass septic tanks.** The following specifications shall apply to the installation of all fiberglass septic tanks:

A. The trench shall be excavated to provide sixteen inches of clearance against each side of the tank so as to allow hand or foot compaction under tank. Bottom of trench shall be level and base of trench shall be free of large or sharp rocks;

B. Backfill material shall be free of large or sharp rocks within six inches of tank. Backfill material shall be hand or foot tamped under tank to achieve a balanced bedding. Backfill shall be placed at a maximum of four-inch even layers and shall be hand or foot tamped before placing next layer;

C. The minimum fill over the top of tank shall be thirty inches unless an equivalent restraint and protection is provided;

D. Fiberglass septic tank shall be equipped with schedule 40 plastic pipe four-inch tees at the inlet and outlet. Tank shall be filled with water above the joint level to prove water tightness before the tank is backfilled. (Ord. 3324 § 2, 2018; Ord.

2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.261 Dosing tanks.** When the quantity of sewage exceeds the amount that can be disposed in five hundred lineal feet of leach line, a dosing tank shall be used. Dosing tanks shall be equipped with an automatic siphon or pump which discharges the tank at least once every three or four hours. The tank shall have a capacity equal to sixty to seventy-five percent of the interior capacity of the pipe to be dosed at one time. Where the total length of leach pipe exceeds one thousand lineal feet, the dosing tank shall be provided with two siphons or pumps dosing alternately and each serving one-half of the leach field. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 17, 1994).

**13.08.262 Grease interceptors or traps.**

A. Required. In commercial or industrial premises when liquid wastes contain excessive amounts of grease, garbage, flammable wastes, sand, or other ingredients which may affect the operation of an OWTS or private sewage disposal system, an approved interceptor or trap for such wastes shall be installed.

B. The installation and location of such interceptors or traps shall comply with the CPC as revised by this Chapter.

C. Grease traps or interceptors shall be installed under permit and inspection from the Tuolumne County Community Resources Agency. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2314 § 43, 1999; Ord. 2078 § 18, 1994).

**13.08.270 Special design systems.**

A. Where the criteria set forth for a standard system cannot be attained, the Environmental Health Director may approve a special design system. Special design systems shall include Modified systems, Alternative systems and Experimental systems. Guidelines formulated for special design systems and alternative systems shall be maintained by the Environmental Health Division.

B. The Guidelines shall provide for a possible reduction of the required soil depth to a minimum of two feet below the bottom of the leaching trench or bed or to groundwater. Specific, written factual justification shall be provided for any reduction granted, as well as a library of referenced publications. All systems included in the EPA Manual, as well as systems with a historical record of reliability in the local area shall be considered by the Guidelines.

C. Any proprietary supplement treatment system used in a special design system shall meet NSF/ANSI (National Sanitation Foundation/American National Standards Institute) Standard 40. NSF approved proprietary components shall not be used independently. Proprietary components may be used as part of the overall wastewater treatment system as tested and approved by NSF.

D. Applicants may request, at applicant's cost, a review of the plans for special design systems by a Qualified Professional under contract to the County. This Qualified Professional shall have the following qualifications:

1. Contemporary experience, knowledge and expertise in the field of OWTS design,
2. Be either a registered civil engineer or a certified engineering geologist in the State of California,
3. Have no conflicts of interest relative to the given special design OWTS plan under review.

E. These systems shall be located, designed and installed under the direction of a consultant. After installation is completed, the consultant shall certify in writing to the Environmental Health Division that the system was located and installed in fidelity with the plans and specifications as approved. Minor deviations from the approved plan and specifications arising from prior unknown site conditions shall be accurately included in the certification. Major deviations shall be reported to the Environmental Health Division prior to installation and new written approval shall be required.

F. The Guidelines developed and approvals granted pursuant to this Section shall be based on valid information and extensive field and test data from conditions similar to the proposed site or from additional data as may be necessary to provide assurance that approved special design or alternative systems will produce continuous and long-range results, at the proposed site, at least equivalent to systems which are specifically authorized.

G. No person shall fail to comply with an Operation, Maintenance and Monitoring Program for a special design system as required pursuant to Section 13.08.220(F). (Ord. 3324 § 2, 2018; Ord. 3134 § 29, 2010; Ord 3061 § 3, 2009; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 19, 1994; Ord. 1333 § 1 (part), 1984).

on or after January 2, 1975, shall meet the setback requirements of Chapter 13.04. For those horizontal distance setbacks not set forth in Chapter 13.04 and for those parcels or lots created prior to the above named date, the following setback requirements are applicable:

**13.08.280 Location of OWTS or sewage disposal system.** OWTS or sewage disposal systems constructed on parcels or lots created or approved

TABLE 2

<b>Location of OWTS or Sewage Disposal System</b>			
<b>Minimum horizontal distance in clear required from:</b>	<b>Building Sewer</b>	<b>Septic Tank</b>	<b>Disposal Field</b>
Building or structures (A)	2'	5'	8'
Property line adjoining private property	Clear	5'	5'
Private water wells	50' (B)	50'	100'
Public water wells	50'	150'	150'
Lakes or reservoirs where use is, or may be, intended as a domestic water source	50'	50'	200'
Streams, irrigation ditches, springs or other perennial water courses or impoundments.	10'	10'	25'
Category 1 drainage course	10'	10'	25'
Ephemeral Stream (C)	25'	25'	50'
Intermittent Stream (C)	25'	25'	75'
Perennial Stream (D)	50'	50'	100'
Impaired water body (E)	50'	600'	600'
Surface water body drinking water supplies (F)	50'	50'	200-400'
Trees over 24" in diameter		10'	
Disposal field		5'	5' min (G)
Domestic water line	1' (H)	5'	10'
Distribution box		4'	4'
Driveway or parking area		Clear	Clear
Pressure public water main	10'	10'	10'
Cutback or fillbank when facility above bank	10'	10'	4xH (I)
Domestic water supply canal:			
Above	50'	50'	100'
Below	10'	10'	25'

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

(B) All nonmetallic drainage piping shall clear domestic water supply wells by at least fifty feet. This distance may be reduced to not less than twenty-five feet when the drainage piping is constructed of materials approved for use within a building.

(C) As measured from the apparent edge of channel.

(D) As measured from the high water mark which would result from a ten-year frequency flood.

(E) For parcels created prior to May 13, 2018, OWTS may be located within 600 feet of an impaired water body if the proposed system meets the requirements set forth in the LAMP Advanced Protection Management Program.

(F) Where the effluent dispersal system is within the catchment of a public water system's surface water intake point, and located such that it may impact water quality at the intake point such as upstream of the intake point for flowing water bodies and the dispersal system is located:

1. Within 1,200 feet from a public water system's surface water intake point, the dispersal system shall be no less than 400 feet from the high water mark of the reservoir, lake or flowing water body.

2. More than 1,200 feet but less than 2,500 feet from a public water system's intake point, the dispersal system shall be no less than 200 feet from the high water mark of the reservoir, lake or flowing water body.

(G) See Section 13.08.240(J).

(H) Comply with CPC Section 720.0.

(I) Four times the height of the bank, measured from the top edge of the bank. Maximum setback thirty-five feet from top of bank. (Ord. 3324 § 2, 2018; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 9, 2000; Ord. 2078 § 20 1994; Ord. 1333 § 1 (part), 1984).

### **13.08.290 Abandoned sewers and sewage disposal facilities.**

A. Every abandoned building (house) sewer, or part thereof, shall be plugged or capped in an approved manner within five feet (1.5m) of the property line.

B. Every cesspool, septic tank, and seepage pit which has been abandoned or has been discontinued otherwise from further use or to which no waste or soil pipe from a plumbing fixture is connected, shall have the sewage removed therefrom and be completely filled with earth, sand, gravel, concrete, or other approved material.

C. The top cover or arch over the cesspool, septic tank, or seepage pit shall be removed before filling and the filling shall not extend above the top of the vertical portions of the sidewalls or above the level of any outlet pipe until inspection has been called and the cesspool, septic tank, or seepage pit has been inspected. After such inspection, the cesspool, septic tank, or seepage pit shall be filled to the level of the top of the ground.

D. No person owning or controlling any cesspool, septic tank, or seepage pit on the premises of such person or in that portion of any public street, alley, or other public property abutting such premises, shall fail, refuse, or neglect to comply with the provisions of this section or upon receipt of notice so to comply from the Environmental Health Director.

E. Where disposal facilities are abandoned consequent to connecting any premises with the public sewer, the permittee making the connection shall fill all abandoned facilities as required by the Environmental Health Director within thirty days from the time of connecting to the public sewer. (Ord. 3134 §§ 30, 31, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 21, 1994; Ord. 1333 § 1 (part), 1984).

### **13.08.300 Inspections under sewage disposal permit.**

A. The applicant will deliver the number of plot plans required by the community development department and such plot plans shall contain all required information.

B. At the time of delivery of this packet to the community development department, applicant or representative shall uncover and flag all recorded boundary monuments so as to make them visible. When the monuments are not intervisible, the boundary line shall be clearly marked between the same. A sign clearly stating the name of the property owner shall be clearly placed at a spot easily visible from the road or entry abutting the parcel.

C. The soil profile test requirement following may be waived by the Environmental Health Director where he/she determined there is adequate soil data for that area of the parcel. A test trench at least eight feet deep must be provided in the initially proposed leachfield area and expansion area to assure the soil depth is adequate, to determine the most permeable strata for discharge of effluent, and to indicate the depth of groundwater. Each test trench shall be of an adequate dimension to allow an unobstructed view to the bottom of the trench. The Environmental Health Division shall be notified prior to the completion of the trenches and the trenches shall be covered or protected immediately after inspection. This inspection and all further discussed inspections must be requested at least twenty-four hours in advance.

D. The Environmental Health Director or his/her representative shall then visit the site to determine if the proposed improvements meet the requirements of this chapter or any other applicable county ordinance or state law. If this determination is made, a sewage disposal permit shall be issued in the manner prior discussed. Notwithstanding any other provision of this section, the Environmental Health Division shall not be required to issue any permit if, in the opinion of the Environmental Health Director, in consultation with the Health Officer, such approval would result in a public hazard or be detrimental to the health, safety or welfare of the residents of the area.

E. The Environmental Health Director may also require percolation tests when history and experience in the area indicate such tests are advisable. The percolation tests shall be conducted as specified in Section 13.08.230(H).

F. Inspections of construction of the private disposal system shall be performed when:

1. The disposal field, septic tank hole, distribution box and solid line areas are dug, trench walls are scarified, and the distribution box bases are compacted;
2. The septic tank, drain rock, drain pipe, solid lines, distribution boxes, and building paper are in place in their respective trenches.

Covering installed improvements prior to inspection shall be limited solely to those portions of the work where the open excavation impedes necessary movement of equipment required to complete the system design as approved. If each inspection has disclosed satisfactory compliance of the provisions of this chapter and the CPC, the Environmental Health Director or his/her representative shall sign off the work as completed on the sewage disposal permit copy mandated to be kept on the job. The owner or contractor may then cover the installed improvements. (Ord. 3134 § 32, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2351 § 10, 2000; Ord. 2314 §§ 44 & 45, 1999; Ord. 2078 § 22, 1994; Ord. 1333 § 1 (part), 1984).

#### **13.08.310 Use and repair of existing sewage disposal system.**

A. Every part of each private and individual sewage collection, treatment and disposal system is to be maintained in good repair at all times, and operated in such a manner as not to cause odors, pollution or contamination of adjacent lands or surface waters or useable subsurface waters of the county nor create any other nuisance.

B. With respect to the repair of existing sewage disposal systems, the Environmental Health Director may except as to structures, allow such lesser distances than those shown elsewhere in this chapter as he/she shall determine necessary to avoid undue hardship, but that will accomplish the general purpose and intent of this chapter.

C. Nothing contained in this chapter shall prevent utilization of another parcel for the construction of a sewage disposal system or a portion of a sewage disposal system providing the following conditions are met:

1. The land on which the system is to be constructed is owned by the owner of the system provided that the parcels are legally merged or a notice of action is filed with the county recorder's office reflecting restrictions on the use of each parcel for purposes consistent with the existence of the on-site sewage treatment and disposal system. Alternatively, another parcel may be used if the owner of the system has a

legally recorded easement on the land which expressly provides that he has the right to use the land for sewage treatment and disposal purposes;

2. The recorded easement shall stipulate that the easement may not be revoked or extinguished and that an effort to do shall be of no force and effect unless and until there has been recorded an affidavit signed by an authorized representative of the agency owning the public sewer stating that the structure which the sewage disposal system was originally intended to serve has been permanently connected to a public sewer. (Ord. 3134 §33, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 23, 1994; Ord. 1333 § 1 (part), 1984).

#### **13.08.311 Discharge restrictions-Pollution prohibited.**

All sewage and other liquid waste shall be disposed of by an approved method of collection, treatment and effluent discharge. Sewage or sewage effluent shall not be disposed of in any manner that will permit it to rise to the surface or flow over the top of the ground or cause pollution of the ground surface, groundwater, bathing area, lake, pond, or watercourse, or create a nuisance. It shall not be discharged into any abandoned or unused well or into any crevice, sinkhole or other opening either natural or artificial in the rock formation. (Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2078 § 24, 1994).

#### **13.08.320 Minor deviations from ordinance requirements.**

Minor deviations from any ordinance requirement regulating private sewage disposal systems may be granted. Approval of the Environmental Health Director is required. Specific, written, factual findings shall be made in each case justifying the minor deviation. (Ord. 3134 § 34, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

#### **13.08.330 Technical advisory committee.**

The Environmental Health Director, with the concurrence of the Health Officer, shall appoint an ad hoc technical advisory committee made up of three consultants. Any project may be referred to the technical advisory committee at the request of the applicant, the Environmental Health Director, or the Health Officer. The technical advisory committee shall make its recommendation within thirty days unless a longer time is agreed to by the applicant (Ord. 3134 § 35, 2010; Ord. 3061 § 4,

2009; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 1333 § 1 (part), 1984).

**13.08.340 Appeals.** If the Environmental Health Director denies an application for a permit, issues a conditional permit, or denies a minor deviation from ordinance requirements which is contrary to law, an appeal may be made to the board of supervisors, whose decision shall be final. The appeal shall be filed with the clerk of the board of supervisors within ten calendar days following giving or mailing notification by the Environmental Health Director of the decision subject to the appeal, and shall specifically state the grounds on which the appeal is based. Appeals not submitted in a timely manner will not be considered and will be returned. (Ord. 3134 § 36, 2010; Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2280 § 14, 1999; Ord. 1333 § 1 (part), 1984).

**13.08.350 Violation; enforcement.** A violation of this chapter shall be enforced as provided for in Chapter 1.10 of the Tuolumne County Ordinance Code. (Ord. 2863 § 1, 2007; Ord. 2838 § 1 (part), 2007; Ord. 2296, § 5, 1999; Ord. 1333 § 1 (part), 1984)