ORDINANCE NO. 1472

AN ORDINANCE REPUBLISHING CHAPTER 25
OF THE SOLANO COUNTY CODE ENTITLED
SEWERS AND SEWAGE DISPOSAL

The Board of Supervisors of the County of Solano, State of California, does ordain as follows:

SECTION I.

Chapter 25 of the Solano County Code, entitled "Sewers and Sewage Disposal," is hereby republished to read as follows:

CHAPTER 25

SEWERS AND SEWAGE DISPOSAL.

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ARTICLE I. IN GENERAL.

Sec. 25-10. Purpose.

The declared purpose of this chapter is to provide for the regulation of individual sewage disposal systems including, but not limited to, septic tanks, drainage systems and chemical toilets as well as septic tank and chemical toilet pumping trucks for disposal of sewage from buildings and habitations in the county; providing for the issuance, suspension and revocation of permits therefor; establishing permit fees therefor and providing for the abatement of existing unsanitary individual sewage disposal systems in the county. (Ord. No. 888, § 1.)

Sec. 25-11. Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this section:

Chemical toilet means any toilet or water closet constructed, installed or placed for the purpose of having deposited therein sewage which is disposed of by a chemical process other than by discharge into a sewer system treatment in the sewage facility of a public agency or district.

Division of environmental health means the division of environmental health of the county department of environmental management.

Equivalent of a single-family residential unit means other tank use generating an amount of sewage similar to that generated by a single-family residential unit.

Failure of a septic tank means:

1. Sluggish or inoperable plumbing fixtures.
2. Surfacing of effluent with the bacteriological characteristics of sewage.
3. Contamination of ground or surface waters by effluent from the septic tank system.

Large water supply means one which provides two hundred or more service connections.

Mean depth means halfway between high water table and low water table.

Person means any person, firm, association, corporation, public utility and local public agency, or any members, agents or employees of the foregoing.

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 (excluding livestock) excrement, offal or any feculent matter or matters or substances that may be injurious or dangerous to health, either directly or indirectly. (Ord. No. 888, § 1.)
Sec. 25-12. Applicability.

This chapter shall apply to all unincorporated territory within the county. (Ord. No. 888, § 1.)

ARTICLE II. INDIVIDUAL SEWAGE DISPOSAL SYSTEMS.

Sec. 25-20. Septic tanks, drainage facilities and leaching systems.

(a) Applicability. The following criteria for septic tank-leaching systems shall apply to all waste disposal from septic tank leaching systems for a single-family unit or equivalent installed subsequent to the effective date of this chapter:

<table>
<thead>
<tr>
<th>FACILITY</th>
<th>SEPTIC TANK OR SEWER LINE</th>
<th>LEACHING FIELD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Domestic Well</td>
<td>50</td>
<td>100</td>
</tr>
<tr>
<td>Public Well</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>Flowing Stream*</td>
<td>50</td>
<td>100</td>
</tr>
<tr>
<td>Drainage Course of</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ephemeral Stream**</td>
<td>25</td>
<td>50</td>
</tr>
<tr>
<td>Cut or Fill Bank***</td>
<td>10</td>
<td>4 x h***</td>
</tr>
<tr>
<td>Property Line</td>
<td>10</td>
<td>25</td>
</tr>
<tr>
<td>Lake or Reservoir****</td>
<td>50</td>
<td>200</td>
</tr>
</tbody>
</table>

* As measured from the uppermost edge of the bank.
** As measured from the edge of the channel.
*** Distance in feet equals four times the vertical height of the cut or fill bank.
**** As measured from the high water line.

(b) Minimum criteria.

(1) The percolation rate in the disposal area shall not be less than one inch per hour. There shall be a minimum of three test holes per lot or parcel. Additional test holes may be required by environmental health when soil conditions on the lot or parcel are not uniform.

(2) Soil depth below the bottom of the leaching trench normally shall not be less than five feet. A soil depth of three feet may be substituted if consistent with the rules, regulations, or guidelines of the applicable regional water quality control board. Demonstration of meeting this depth requirement may be through the use of a field observation hole, or a backhoe hole.
(3) Depth to ground water below the bottom of the leaching trench normally shall not be less than five feet to the highest seasonal elevation of the water table. A soil depth of three feet may be substituted if consistent with the rules, regulations, or guidelines of the applicable regional water quality control board. Demonstration of meeting this depth may be through the use of field observation holes or through historical records acceptable to environmental health. Greater depths are required if soils do not provide adequate filtration. Environmental health may substitute a less stringent depth to ground water requirement for parcels which existed or had been approved by tentative or parcel map on or before August 10, 1982, where it can be demonstrated that no hazard to ground water or surface waters will result. Said requirement shall not be less stringent than the requirement in effect at the time of parcel approval.

(4) Ground slope in the disposal area shall not be greater than twenty-five percent; except that environmental health, in its discretion, may waive the maximum slope limitation where it can be demonstrated through a technical report prepared by a state-registered civil engineer (with soils and a geological background) or geologist, that use of a soil absorption system will not surface in the absorption field or reserve area, create water quality problems, jeopardize surrounding properties, or affect soil stability. Environmental health may also waive the maximum slope limitation for all parcels which existed or had been approved by tentative map on or before February 4, 1975.

(5) The minimum size building lots for all single-family residences or equivalent shall be not less than five acres; provided, that the minimum size building lots for single-family residences or equivalent shall be not less than two and one-half acres, where water supplies are available as follows:
   a. Where a large public water supply exists which is available for use, and which meets United States public health service drinking water standards and state laws and regulations relating to domestic water supplies; or
   b. Where a public agency, including districts, provide water for domestic purposes and assumes responsibility for monitoring the facilities used to treat the water supplies by performing quarterly inspections, including collection of samples of the private water treatment facilities.

However, where development is to occur under the planned unit development process, parcels may vary in size; provided that the overall density of the project shall not have a density greater than one dwelling unit per two and one-half acres, and no parcel shall be less than one acre in area. As of January 28, 1975, any existing parcels, or parcels approved by tentative map smaller than the aforesaid size, shall be exempt from the above size requirement, and application for septic tanks thereon may be approved by the environmental health division in conjunction with the appropriate regional water quality control board; provided, that all other requirements of this chapter are met.

(6) The size of minimum disposal areas and adequate
reserve areas for various sized structures shall be established by
the department based upon the percolation rate and other relevant
factors. Sufficient usable area meeting slope percolation rate,
soil depth, and depth to ground water requirements must be
available in order for a permit to be issued.

Areas that are within the minimum distances from wells,
streams, lakes, banks, and property lines as set out in this
chapter shall not be used for waste disposal nor included in
determination of the minimum area.

The following areas are also considered unsuitable for the
location of disposal systems or expansion areas:

a. Areas within any easement which is dedicated for
surface of subsurface improvement.

b. Paved areas.

c. Areas not owned or controlled by property owners
unless said area is dedicated for waste disposal purposes.

d. Areas occupied or to be occupied by structures.

(c) Evaluation procedures.
(1) A number of factors affect the capability of
individual septic tank leaching systems to provide safe, individual
septic tank leaching systems to provide safe, continuous disposal
of wastes. Those factors which come within the purview of the
division of environmental health, in that the division of
environmental health may specify conditions or areas where the
discharge of waste will not be permitted, are soil absorption
capability, soil depth, depth of ground water and slope.

(2) All minimum criteria shall be met. Failure to do so
shall cause the denial of the application unless the director of
the division determines that special circumstances exist which
warrant the granting of a minor variance. Any variance shall be in
writing and shall include the rationale and supporting data
justifying the variance. A copy of the variance shall be submitted
to the regional water quality control board having jurisdiction at
least ten working days prior to issuance of the permit.

(d) Regulations.
The division shall prepare regulations for adoption by
the board of supervisors to interpret and make certain these
provisions. (Ord. No. 888, § 1; Ord. No. 907, § 1; Ord. No. 926,
§ 1; Ord. No. 1190, § 2.)

Sec. 25-21. Chemical toilets.

(a) Permits required. It shall be unlawful for any person,
whether as principal, servant, agent or employee to install or
replace a chemical toilet installation in or upon any property in
the county without having first obtained a permit to do so from the
county division of environmental health. In agricultural areas
where chemical toilets are temporarily required for use by farm
laborers and are supplied by a commercial operator, permits for a
particular location are not required. However, the commercial operator shall comply with obtaining the annual permits required by section 25-60, subsection (c).

(b) Criteria for toilet facilities.

(1) Toilet facilities shall provide sufficient space for comfortable use. A minimum area of approximately eight square feet, with a minimum width of two and one-half feet, shall be provided for each toilet seat. A minimum area of ten square feet, with a minimum width of two and one-half feet, shall be required when a urinal is included. Sufficient additional space shall be included if hand-washing fixtures are within the facility.

(2) Toilets shall be designed, constructed and maintained so as to prevent the access of flies to the excreta.

(3) Buildings housing toilet and hand-washing facilities shall be rigidly constructed and shall provide privacy.

(4) Their inside surfaces shall be of durable nonabsorbent material, smooth, readily cleanable and finished in a light color.

(5) They shall be ventilated and provide with self-closing doors which can be fastened from the inside.

(c) Servicing of chemical toilet units. Suitable chemicals effective at all times in controlling odors and liquefying solids shall be used for the chemical toilets. It is recommended that such chemicals have the following characteristics:

(1) Contain a bacteriostatic agent to prevent decomposition of the sewage.

(2) Contain an effective deodorant material to mask objectionable odors.

(3) Contain a suitable emulsifying agent, in addition to water, to help break down solid matter.

(4) Have sufficient strength to remain effective between changing of the chemicals.

(d) Disposal of contents of chemical tanks. Contents of chemical tanks shall be disposed of by draining or pumping into a sanitary sewer, an approved septic tank of sufficient capacity to handle the wastes, a suitably sized and constructed holding tank approved by the division of environmental health, or by any other method approved by the division.

(e) Cleansing. Each facility shall be thoroughly cleaned and washed down weekly, or as often as necessary, and at least after each emptying of the chemical tank.

(f) Servicing and maintenance. It shall be the responsibility of the chemical toilet servicing firm to insure that toilets are serviced and maintained in a clean, sanitary condition and kept in good repair at all times.

(g) Identification. The business name shall be evident on at least one side of the chemical toilet in letters of three inches in height. (Ord. No. 888, § 1.)
(a) **Permit required.** It shall be unlawful for any person or firm to carry on, solicit or engage in the business of the cleansing of septic tanks, chemical toilets or to dispose of the cleanings therefrom in the county, unless the person or firm shall hold a current permit issued by the county division of environmental health for the carrying on of such business.

(b) **Criteria.**

1. Upon each side of every vehicle, for which registration is required, there shall be printed or affixed in permanent plain legible letters and numbers at least four inches high, the permanent name and address of the registrant or establishment. The certified gallonage capacity of the tanks shall appear on the tank on both sides in numerals of a minimum of four inches in height and shall be fully legible and visible at all times. Such capacity as shown shall that approved and certified by the sealer of weights and measures of the county or other approved sealer of weights and measures. There shall be at least three tanks for waste, water and disinfectant except for vehicles used exclusively for septic tank pumping which shall have at least two tanks. All pumping hoses must be cleaned out into the truck tank or into the septic tank, or chemical toilet being pumped, and not on the surface of the ground. There shall be carried on each unit at all times, a sufficient quantity of chlorinated lime or other product approved by the department for disinfection of hoses and areas where accidental spillage of sewage might occur.

2. It is unlawful for any person or firm to park sewage effluent pumping trucks, at the close of a working day, on a public street or thoroughfare. All such trucks shall have the sewage effluent removed from the tanks at the close of each work day, and disposed of at an approved sewer manhole or sewage disposal plant.

3. All discharge lines and valves shall have screw type caps, or other devices approved by the county division of environmental health. (Ord. No. 888, § 1.)

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**ARTICLE III. DISPOSAL OF SEWAGE FROM BUILDINGS.**

**Sec. 25-30. Occupancy of building not connected to approved public sanitary sewer.**

No occupancy shall be permitted in any building which is not connected to an approved public sanitary sewer without the written approval of the division of environmental health. (Ord. No. 888, § 1.)

**Sec. 25-31. Approval of building permit.**

No building permit, as required by this code and amendments thereto, shall be issued for any building which is not to be connected to an approved public sanitary sewer without the written approval of the division of environmental health. (Ord. No. 888, § 1.)
ARTICLE IV. SEPTIC TANK INSPECTION AND MAINTENANCE.

Sec. 25-40. Inspections--Generally.
Existing and subsequently installed septic tanks of single-family and multiple-type family dwellings, as well as all commercial buildings, shall periodically be inspected by a registered sanitarian of the division of environmental health. (Ord. No. 888, § 1.)

Sec. 25-41. Same--Frequency.
Frequency of inspections. Except as hereinafter provided, inspection shall be accomplished at least every five years and in areas determined by the division of environmental health as susceptible to septic tank failure, inspections shall be made more frequently as determined by the division.
(a) Exceptions. After complying with the initial inspection required by this chapter, following are not subject to the five year reinspection referred to above:
(1) Land zoned as exclusive agriculture that contains ten acres or more.
(2) A parcel used for agricultural purposes zoned "MG" that contains ten acres or more. (Ord. No. 888, § 1.)

Sec. 25-402. Correction of failures.
Upon determination by the division of environmental health of a failure of a septic tank system, the owner and/or occupant shall be so advised of the failure and required to take corrective action within a period of time prescribed by the division. In setting the time allowed for correction of the failure, the department division shall set a reasonable time, taking into consideration the gravity of the health hazard, the existing conditions of the premises and the amount of work required to correct the failure. (Ord. No. 888, § 1.)

Sec. 25-43. Fees for inspection.
For the performance of the aforesaid inspection, the owner shall pay to the division of environmental health a fee in the amount, time and method of payment, as determined by the board of supervisors by ordinance, pursuant to chapter 1, section 11-110 of this code. (Ord. No. 888, § 1; Ord. No. 1043, § 3.)

ARTICLE V. PERMITS GENERALLY.

Sec. 25-50. Applications.
All applications shall be accompanied by two plot plans showing size and type of the proposed installation, the site thereof and the work to be done in detail. (Ord. No. 888, § 1.)
Sec. 25-51. Investigation; issuance; conditions.
If, after investigation, the division of environmental health determines that the installation of the proposed facility is in accordance with the terms of this chapter and any regulations issued pursuant thereto, and will not be injurious to the public health and welfare, the division shall issue a permit. All permits may be made subject to such conditions as the division deems necessary to insure compliance with this chapter and protection of the public health and safety. (Ord. No. 888, § 1.)

Sec. 25-52. Expiration; revocation.
Any permit issued pursuant to this chapter shall expire and become null and void under the following conditions:
(a) If the work authorized therein has not been commenced within one year after the permit has been issued.
(b) If, after commencement of the installation, repair or modification of a sewage disposal system authorized by permit, and before completion thereof, the project is abandoned for a continuous period of ninety days.
(c) Upon the expiration of any permit as herein provided, no further work may be done in connection with the installation, repair or modification of the sewage disposal system unless, and until, a new permit for such purpose is issued.
(d) The division of environmental health may revoke any permit issued hereunder if the division determines that the permittee is acting in contravention of the provisions of this chapter or the conditions of the permit. (Ord. No. 888, § 1.)

Sec. 25-53. Appeals.
In the event that any applicant or permittee is, for any reason, dissatisfied with the actions of the division of environmental health by reason of failure to grant a permit, a revocation of a permit or imposition of any conditions relating to such permit, such applicant or permittee shall have the right to appeal to the board of supervisors in writing within ten days after notification of the action of the division. Upon receipt of an appeal, the board of supervisors shall set a date for a hearing within fifteen days from the receipt of such appeal, and give the appellant notice thereof by registered or certified mail, addressed to such appellant at the address shown on the application or permit. At the conclusion of such hearing, the board of supervisors shall render a decision, which decision shall be final. (Ord. No. 888, § 1.)

Sec. 25-54. Nontransferability.
Any permits issued hereunder may not be transferred from person-to-person, or location-to-location. (Ord. No. 888, § 1.)
Sec. 25-55. Permits for other individual sewage disposal systems.

(a) Where due to size, shape, topography, soil conditions, or depth to groundwater, the requirements of this chapter cannot be met, a permit may be issued for such other individual sewage disposal system as determined by the division to be capable of safely, continually, and reliably disposing of sewage waste and effluent under all expected climatic and other conditions. No such permit shall be issued unless the executive officer of the regional water quality control board having jurisdiction over the proposed site has approved, in writing, such system for the site. All requirements of the regional board shall be met. The applicant shall be responsible for paying all fees and providing sufficient information to allow the proposed system to be completely analyzed. Failure to provide adequate information or pay for such tests or analysis by independent consultants named by the division shall be grounds for the denial of the permit.

(b) A permit may also be issued for any system to which discharge requirements, pursuant to Water Code Section 13263 have been prescribed by the regional water quality control board having jurisdiction over the site. (Ord. No. 1190, § 4.)

ARTICLE VI. PERMIT FEES.

Sec. 25-60. Generally.

The permit fee for each permit issued pursuant to the provisions of this chapter shall be determined in the amount, and payable at the time and method set by the board of supervisors by ordinance, pursuant to chapter 11, section 11-110 of this code. (Ord. No. 888, § 1; Ord. No. 889, § 1; Ord. No. 1043, § 4.)

ARTICLE VII. SURFACE WATER.

Sec. 25-70. Discharge into public sewer system prohibited.

(a) No person shall willfully cause or permit any storm waters or other casual surface water or waters to flow into or enter any pipe or opening which is connected with public sanitary sewer systems in the county.

(b) No person shall willfully construct or maintain any opening, pipe or other structure designed or used for the purpose of causing or permitting storm waters or other casual surface waters to flow into or enter any pipe or opening which is connected with public sewer systems in the county. (Ord. No. 888, § 1.)

ARTICLE VIII. ABATEMENT.
Sec. 25-80. Prohibited acts.

It shall be unlawful for any person to do any of the following without having first secured a permit therefor from the division of environmental health and, in the case of a public utility or local public agency, the permit shall be approved by the board of supervisors.

(a) Construct, rebuild, use, occupy or maintain any residence, place or business or other building or place where persons reside, congregate or are employed, which is not provided with means for the disposal of sewage by connection to a public or authorized private sewer system.

(b) Construct or maintain any sewage treatment works, sewer pipes or conduits, or other facilities for the treatment and/or discharge of sewage or impure waters or any other matter or substance offensive, injurious or dangerous to health within the unincorporated area.

(c) Construct, enlarge, alter, repair, improve or replace a septic tank, drainage field or leaching system, or any other type of individual sewage disposal system, or any part thereof.

(d) Install or place a chemical toilet in or upon any property for any purpose other than for temporary use in connection with the construction of a building or other structure during the period of such construction. (Ord. No. 888, § 1.)

Sec. 25-81. Enforcement of chapter; adoption of regulations.

It shall be the duty of the division of environmental health to ensure the enforcement of the provisions of this chapter. Regulations implementing this chapter shall be adopted by resolution of the board of supervisors. (Ord. No. 888, § 1.)

Sec. 25-82. Penalty for violation of chapter.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars for the first offense. A continuing or subsequent offense upon conviction shall be punishable by a fine of not more than five hundred dollars or imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. Such persons shall be deemed to be guilty of a separate offense for each and every day during any portion of which a violation of this chapter is committed, continued, or permitted by such person. (Ord. No. 888, § 1.)

ARTICLE IX. SPECIAL PUD WASTEWATER DISPOSAL
SYSTEM DESIGN AND LOCATION.

Sec. 25-90. Rules and regulations.
Notwithstanding any provisions of this chapter to the contrary, the following provisions respecting the design and location of wastewater disposal facilities for planned unit developments in the unincorporated areas of the that may utilize a modified mound septic tank/leachfield system (hereinafter referred to as "the development") are hereby adopted, and all work in respect to lots in the development designated by the division of environmental health for use of a wastewater disposal system shall be performed as herein and otherwise required. (Ord. No. 1124, § 1.)

Sec. 25-91. Purpose and application.

This article is intended to provide certain provisions and requirements for the design and location of wastewater disposal facilities as now or hereafter constructed, replaced, reconstructed or repaired and, in general, to enable the county to carry out the powers provided it, and to meet the objectives of the Basin Plan—San Francisco Bay Basin. This article shall apply to all lots in any development designated by the division of environmental health for use of a modified mound system in any planned unit development within the unincorporated area of the county for which the California Regional Water Quality Control Board, San Francisco Bay Region, and the board of supervisors have approved a wastewater management program. The division of shall approve the individual wastewater disposal system for each lot in the development prior to the recording of a final map for the development. (Ord. No. 1124, § 1.)

Sec. 25-92. Short title.

This article shall be known as the "Special PUD Wastewater Disposal System Design and Location Ordinance." (Ord. No. 1124, § 1.)

Sec. 25-93. Violation unlawful.

Following the effective date of this article, it shall be unlawful for any person to connect to, construct, replace, reconstruct, repair, maintain and/or use any means of wastewater disposal from any building in the development designated by the division for use of a wastewater disposal system except as designed and located as is provided in this article. (Ord. No. 1124, § 1.)

Sec. 25-94. New construction.

The provisions of this article shall apply to the construction of new wastewater disposal systems designated by the division to serve new construction in the development. (Ord. No. 1124, § 1.)

Sec. 25-95. Mitigations.
The provisions of this article shall apply to the repair, reconstruction, or replacement of existing wastewater disposal systems in the development. (Ord. No. 1124, § 1.)

Sec. 25-96. Setbacks.
Septic tanks and leachfields shall be set back a provided herein. (Ord. No. 1124, § 1.)

Sec. 25-97. Minimum groundwater depth.
Minimum groundwater depth below the trench shall be as provided herein. Variances to the required minimum depth may be granted by the division if adequate demonstration is made to the satisfaction of both the division and the San Francisco Regional Water Quality Control Board that systems in high groundwater areas can function properly with less than the minimum depth as herein provided. (Ord. No. 1124, § 1.)

Sec. 25-98. Tank.
The septic tank shall be of two-compartment construction; the first compartment being of twice the capacity of the second.
The tank shall be watertight and shall be constructed of a durable, noncorrodible material. The specific approval will be conditional on review of the tank plans and selected material specification. Inlet and outlet piping shall be three-inch minimum vitrified clay, cast iron or materials approved as specified in the Uniform Plumbing Code. (Ord. No. 1124, § 1.)

Sec. 25-99. Leachfields.
All leachfields shall be designed so that one-half of the leachfield can be used while the remaining half is rested to allow for the recovery of the soil's percolation capacity. Typically, this will call for the use of a three-way valve, diversion box, or other appropriate means.
Each half of the leachfield system shall be designed to accommodate a hydraulic loading of one hundred fifty gallons per bedroom per day. In no case shall the trench depth be less than eighteen inches below the drainpipe.
The required length of each leachfield trench shall be based on the percolation rate for the site and the number of bedrooms for the proposed residence. Table No. 1 shows the percolation rate and the corresponding minimum leach line length per bedroom for the leachfield design for leach line trench width of two feet and three feet.
Table No. 1 will serve as a minimum guide in the design of a leachfield system. This table will not restrict the division from requiring additional lengths of leach lines. Where a modified mound system is used, leach lines will be sized based upon a percolation rate in the mound of one inch per hour.
### TABLE NO. 1.

**Minimum Leachline Length**

<table>
<thead>
<tr>
<th>Percolation Rate</th>
<th>Required Minimum Leach Line Length per Bedroom</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Two ft. Trench</td>
</tr>
<tr>
<td>Less than 1.0 inch/hr.</td>
<td>Not acceptable</td>
</tr>
<tr>
<td>1.0 &quot;</td>
<td>248 feet</td>
</tr>
<tr>
<td>1.5 &quot;</td>
<td>210 &quot;</td>
</tr>
<tr>
<td>2.0 &quot;</td>
<td>180 &quot;</td>
</tr>
<tr>
<td>2.5 &quot;</td>
<td>150 &quot;</td>
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<tr>
<td>3.0 &quot;</td>
<td>135 &quot;</td>
</tr>
<tr>
<td>3.5 &quot;</td>
<td>120 &quot;</td>
</tr>
<tr>
<td>4.0 &quot;</td>
<td>105 &quot;</td>
</tr>
</tbody>
</table>

(Ord.No. 1124, § 1.)

**Sec. 25-100. Special system designs.**

Special system designs may be allowed upon approval of the division and the Regional Water Quality Control Board. (Ord. No. 1124, § 1.)

**Sec. 25-101. Use of portable facilities during repair, reconstruction or replacement.**

The division may require the installation of a portable chemical toilet and adequate provisions for the disposal of gray water during the period of time that a septic tank is being repaired, reconstructed or replaced and changes made in plumbing hookups. If such work takes more than one working day to perform, the division may required vacation of the served premises until repairs, reconstruction or replacement is completed. (Ord. No. 1124, § 1.)

**Sec. 25-102. On-site system--Specifications.**
<table>
<thead>
<tr>
<th>Parameter</th>
<th>Measurements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Percolation, min./in.</td>
<td>Percolation rates shall not exceed 60 on any land proposed for a leaching system.</td>
</tr>
<tr>
<td>Setback, feet (independent of slope of lot)</td>
<td></td>
</tr>
<tr>
<td>1. Buildings</td>
<td>Tank 10</td>
</tr>
<tr>
<td>2. Adjoining property lines</td>
<td>Leachfield 10</td>
</tr>
<tr>
<td>3. All potable water wells</td>
<td>50 100</td>
</tr>
<tr>
<td>4. Natural watercourses</td>
<td>10 100</td>
</tr>
<tr>
<td>5. Cuts for embankments</td>
<td>10 4 x vertical cut*</td>
</tr>
<tr>
<td>6. Swimming pools</td>
<td>10 15</td>
</tr>
<tr>
<td>7. Water lines</td>
<td>10 10</td>
</tr>
<tr>
<td>8. Walks and drives</td>
<td>5 5</td>
</tr>
</tbody>
</table>

| Depth below trench bottom of soil having a one-inch per hour minimum percolation rate | Five feet minimum. |

*Surveying rod is held at any point for which the cut is desired, and a reading is taken, which reading is called the ground rod. The difference between the grade rod and the ground rod is equal to the cut.*

<table>
<thead>
<tr>
<th>Parameter</th>
<th>Measurements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Depth below trench bottom to seasonally high groundwater</td>
<td>Four feet minimum. Exceptions may be granted by the division and Regional Water Quality Control Board if justification can be shown for operating with less than the required 4 feet.</td>
</tr>
</tbody>
</table>
Under no conditions shall there be surface effluent:

A minimum of 1200 gallons, with a 20" minimum tank access manhole for each compartment at ground surface.

**Tank**

**Leachfield**

All leaching systems shall consist of two separate leachfields that can be alternated. Each half of the leachfield shall be designed as follows:

1. **Hydraulic loading**

   Leachfield design conditions shall be based upon a hydraulic loading of 300 gal/bedroom/day.

2. **Trench loading**

   The leachfield length must be determined from the percolation rate for each lot. Percolation tests shall be performed in accordance with standards set by the county.

3. **Special leachfield designs**

   Special leachfield designs other than the modified mound system, such as evapo-transpiration trenches or other configurations may be allowed if approved by the division and the Regional Water Quality Control Board.

(Ord. No. 1124, § 1.)

**Sec. 25-103. Variances.**

All percolation structures shall conform to the required percolation areas and shall be constructed such that the system undergoes a load-rest cycle once per year. In those cases involving variances to the depth of groundwater or to the hydraulic loading capacity, the proposed design, together with the division rationale for approval, shall be submitted to the Regional Water Quality Control Board staff for review and comment. If no word is received from the Regional Board staff within twenty-one days from the date of mailing, the division may authorize the proposed design. (Ord. No. 1124, § 1.)
Sec. 25-104. Separability.

If any section, subsection, sentence, clause or phrase of this article or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this article or the application of such provision to other persons or circumstances. The board of supervisors hereby declares that it would have passed the ordinance adding this article or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional. (Ord. No. 1124, § 1.)

Sec. 25-105. Violations.

Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars for the first offense. A continuing or subsequent offense upon conviction shall be punishable by a fine of not more than five hundred dollars or imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. Such persons shall be deemed to be guilty of a separate offense for each and every day during any portion of which a violation of this article is committed, continued, or permitted by such person. Any violation or threatened violation of this article may also be enjoined by civil suit, in which event there is to be paid to the county reasonable attorney's fees and costs of suit arising in said action. (Ord. No. 1124, § 1.)

ARTICLE X. SPECIAL PUD WASTEWATER DISPOSAL.

Sec. 25-110. Rules and regulations.

Notwithstanding any provisions of this chapter to the contrary, the following provisions apply to the use of wastewater disposal systems and facilities for planned unit developments in the unincorporated areas of Solano County that may utilize a modified mound septic tank/leachfield system (hereinafter referred to as "the development"), and all work in respect to lots in the development designated by the division for use of a wastewater disposal system shall be performed as herein and otherwise required. (Ord. No. 1125, § 1.)

Sec. 25-111. Purpose and application.

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This article is intended to provide certain provisions and requirements for the use of wastewater disposal facilities as now or hereafter constructed, replaced, reconstructed, or repaired and, in general, to enable the county of a "public entity" created by the county to carry out the powers provided it to meet the objectives of the Basin Plan—San Francisco Bay Basin. This article shall apply to all lots in any development designated by the division for use of a modified mound system in any planned unit development within the unincorporated area of Solano County for which the California Regional Water Quality Control Board, San Francisco Bay Region, and the board of supervisors of Solano County have approved a wastewater development program. The division shall approve an individual wastewater disposal system for each lot in the development prior to the recording of a final map for the development. (Ord. No. 1125, § 1.)

Sec. 25-112. Short title.
This article shall be known as the "Special PUD Wastewater Disposal Regulation Ordinance." (Ord. No. 1125, § 1.)

Sec. 25-113. Violation unlawful.
Following the effective date of this article, it shall be unlawful for any person to connect to, construct, replace, reconstruct, repair, maintain and/or use any means of wastewater disposal from any building in the development designated by the division except as in this article provided. (Ord. No. 1125, § 1.)

Sec. 25-114. Permits and fees.
No wastewater disposal system or facilities shall be replaced, reconstructed, repaired, or operated within the development until a permit therefor, signed by the division, has been obtained and all fees have been paid in accordance with the requirements of this chapter. (Ord. No. 1125, § 1.)

Sec. 25-115. Disposal of waste.
It shall be unlawful for any person to place, deposit or permit to be deposited in an unsanitary manner upon public or private property within the development, or in any area under the jurisdiction of the development, any human or animal excrement, garbage, or other objectionable waste. (Ord. No. 1125, § 1.)

Sec. 25-116. Treatment of waste required.
It shall be unlawful to discharge into the ground or surface waters of the development any sewage, waste, or other polluted waters except where suitable treatment has been provided in
accordance with the provisions of this chapter. (Ord. No. 1125, §1.)

Sec. 25-117. Unlawful disposal.
Except as provided by this chapter, it shall be unlawful to construct, replace, reconstruct, repair, maintain, or operate any sanitary sewage, septic, or septic tank disposal system or other facility intended or used for the disposal of wastewater. (Ord. No. 1125, § 1.)

Sec. 25-118. Occupancy prohibited.
No building or other structure shall be occupied until the owner of the premises has received written approval of the division. (Ord. No. 1125, § 1.)

Sec. 25-119. Homeowner's association required.
No wastewater disposal system for the development will be approved by the division until a homeowner's association is established by the development. (Ord. No. 1125, § 1.)

Sec. 25-120. Construction permit required.
Before the commencement of construction of a private wastewater disposal system to serve new construction, the owner shall first obtain a permit therefor from the division, and shall furnish the homeowner's association of the development with a copy of such permit and a copy of the plans and specifications for such system. (Ord. No. 1125, § 1.)

Sec. 25-121. Design requirements.
The type, capacity, location and layout of a modified mound wastewater disposal system shall comply with article IX of this chapter and shall also comply with the rules and regulations of the Department of Public Health of the State of California and county of Solano. No wastewater disposal system shall be permitted to discharge to ground surface or to any stream or watercourse. (Ord. No. 1125, § 1.)

Sec. 25-122. Inspection required.
The county's environmental health inspector shall inspect the new construction or the repair, replacement, or reconstruction work at any stage. The applicant for the construction permit shall notify the inspector when the work is ready for final inspection and before any underground portions are covered. (Ord. No. 1125, § 1.)
Sec. 25-123. Additional requirements.

No statement contained in this article shall be construed to interfere with any additional requirements that may be imposed by any law, ordinance, rule or regulation of legally constituted authority having jurisdiction in such matters. (Ord. No. 1125, § 1.)

Sec. 25-124. Permit required.

Before operating any private wastewater disposal system, the owner shall first obtain a written permit therefor, signed by the division. The application for such permit shall be made on a form furnished by the division, which the applicant shall supplement by such other information as deemed necessary. A permit fee shall be paid to the division at the time such application is filed. (Ord. No. 1125, § 1.)

Sec. 25-125. Recording of permit.

Certified copies of permits and notices of withdrawal of permits, when issued, will be recorded by the owner in the office of the county assessor/recorder. (Ord. No. 1125, § 1.)

Sec. 25-126. Systems subject to mitigation measures.

Any wastewater disposal system which discharges in violation of the county's standards, for whatever reason, will be deemed to be a failed system and will be subject to the mitigation measures herein provided. (Ord. No. 1125, § 1.)

Sec. 25-127. Repair or reconstruction.

The owner of the lot or parcel upon which there exists a failed wastewater disposal system shall be responsible for its repair, reconstruction or replacement. (Ord. No. 1125, § 1.)

Sec. 25-128. Abatement.

Any wastewater disposal system being operated without a valid operating permit shall be subject to abatement as a public nuisance by the county. (Ord. No. 1125, § 1.)

Sec. 25-129. Off-site mitigation.

Some failed wastewater disposal systems may be inherently incapable of repair, reconstruction or replacement to meet county standards on the lot or parcel of land on which is located the structure served by such system due to lack of space, inadequate ground conditions, or other reason. To render assistance to the owners of such systems, the county will make reasonable attempts, in the sole discretion of the division, to secure lands or easements within a reasonable distance from such failed systems and
to make such lands or easements available upon reasonable terms and conditions to such owners for the purpose of construction of private wastewater disposal systems. The cost of construction, operation and maintenance of any such system shall remain the full responsibility of owner. (Ord. No. 1125, § 1.)

Sec. 25-130. Interrelationship of lot owner, the development's homeowner's association, and the Solano County department of public health.

The development, its lot owners, the association, and the county will be served by a wastewater disposal system established according to the requirements of this chapter. Owner, in the first instance, will construct, maintain, and repair the owner's waste disposal system in compliance with all governmental regulations; and the association shall set assessments, collect fees, develop and implement plans for mitigation of failed systems, establish a homeowner correction finance program, correct systems, periodically pump septate, and conduct an owners' information program. The county (or a "public entity" created by the county) shall assume all obligations of the association with respect to the wastewater disposal system, including, but not limited to, taking action to correct systems or increase fees in the event the association fails to act in a timely manner. (Ord. No. 1125, § 1.)

Sec. 25-131. Division of responsibilities.

The duties and responsibilities of the owners, association, and county (or a public entity created by the county) and their interrelationship with each other shall be more specifically set forth in the "Wastewater Management Program, Rules and Regulations for the Development," as approved by the Solano County board of supervisors and the Regional Water Quality Control Board. These duties and responsibilities shall also be set forth in a section entitled, "Wastewater Disposal System and Regulations Thereof," to be included in the declaration of covenants, conditions and restrictions of the development. (Ord. No. 1125, § 1.)

Sec. 25-132. Responsibility of county (or a public entity created by the county).

In the event the owner or association fails to act in a timely manner, the county (or a public entity created by the county) shall assume all obligations of the association with respect to the wastewater disposal system, including, but not limited to, correcting failed systems, recovering its costs therefor, raising the association fees, if necessary, to cover costs of inspection and monitoring, and determining specifications of a monitoring program. (Ord. No. 1125, § 1.)

Sec. 25-133. Investigation powers.
The officers, inspectors or managers shall carry evidence establishing their position as an authorized representative of the county (or a public entity created by the county) and upon exhibiting the proper credentials and identification, shall be permitted to enter in and upon any and all buildings and properties for the purposes of inspection, reinspection, observation, measurement, sampling, testing, or otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the county. If necessary under the circumstances, such officials shall obtain an inspection warrant pursuant to title 13 of part 3 of the Code of Civil Procedure to obtain right of entry for such purpose. (Ord. No. 1125, § 1.)

Sec. 25-134. Violations.
Any person found by the division to be violating any provision of this article or any other applicable rule or regulation of the county, shall be served by the environmental health inspector, or other authorized person, with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Said time limit shall be not more than five days. The offender shall, within the period of time stated in such notice, permanently cease all violation. All persons shall be held strictly responsible for any and all acts of agents or employees done under the provisions of this article, or any other applicable rule or regulation of the county. Upon being notified by the inspector of any violation of this article, the person or persons having charge of said work shall correct the same within the time limit established. (Ord. No. 1125, § 1.)

Sec. 25-135. Public nuisance.
Continued habitation of any building or continued operation of any facility in violation of the provisions of this article, or any other applicable rule or regulation of the county, is hereby declared to be a public nuisance. The county (or a public entity created by the county) may cause proceedings to be brought for injunctive relief and/or for the abatement of the occupancy of the building or facility during the period of such violation. In such event, there is to be paid to the county (or a public entity created by the county) reasonable attorney's fees and costs of suit arising in said action. (Ord. No. 1125, § 1.)

Sec. 25-136. Water cutoff.
As an alternative remedy for such violations, the county (or a public entity created by the county) may cause water service to the premises to be discontinued during the period of violation. (Ord. No. 1125, § 1.)
Sec. 25-137. Means of enforcement only.
The county hereby determines that the foregoing procedures are established as a means of enforcement of the terms and conditions of this article, or any other applicable rules and regulations, and not as a penalty. (Ord. No. 1125, § 1.)

Sec. 25-138. Liability for violation.
Any person violating any of the provisions of this article or any other applicable regulations of the county, shall become liable to the county for any expense, loss, or damage occasioned by the county by reason of such violation. (Ord. No. 1125, § 1.)

Sec. 25-139. Penalties for violation.
Any person violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than five hundred dollars for the first offense. A continuing or subsequent offense upon conviction shall be punishable by a fine of not more than five hundred dollars, or imprisonment in the county jail for not more than six months, or by both such fine and imprisonment. Such persons shall be deemed to be guilty of a separate offense for each and every day during any portion of which a violation of this article is committed, continued, or permitted by such person. Any violation or threatened violation of this article may also be enjoined by civil suit, in which event, there is to be paid to the county reasonable attorney's fees and costs of suit arising in said action. (Ord. No. 1125, § 1.)

Sec. 25-140. Separability.
If any section, subsection, sentence, clause, or phrase of this article or the application thereof to any person or circumstance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this article or the application of such provision to other persons or circumstances. The board hereby declares that it would have passed the ordinance adding this article or any section, subsection, sentence, clause or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared to be unconstitutional. (Ord. No. 1125, § 1.)

Sec. 25-141. Amendment or rescission.
The provisions of this article X may be amended or rescinded by the county with the approval of the Executive Office of the California Regional Water Quality Control Board, San Francisco Bay Region. (Ord. No. 1125, § 1.)
SECTION II.

Pursuant to provisions of Government Code Section 25124(b)(1), a Summary of this Ordinance shall be published once, at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors at which the Ordinance is to be finally considered for adoption (second reading), and a summary of this Ordinance, with the vote of the members of the Board of Supervisors thereon, shall also be published once before the expiration of FIFTEEN (15) DAYS after adoption of the Ordinance. Both publications shall be in the DAILY REPUBLIC, a newspaper of general circulation, printed and published in the County of Solano, State of California, and shall be in full force and effect THIRTY (30) DAYS after its passage.

A certified copy of the full text of the proposed ordinance shall be posted in the office of the Clerk to the Board of Supervisors at least FIVE (5) DAYS prior to the meeting of the Board of Supervisors, at which the Ordinance is to be finally considered for adoption (second reading). A certified copy of the final Ordinance shall be posted in the Office of the Clerk to the Board of Supervisors, at least FIFTEEN (15) DAYS after adoption of the ordinance, and the posting shall include the vote of the Supervisors for or against the Ordinance.

SAM CADDLE, Chairman, Board of Supervisors

ATTEST:

LIINDA TERRA, Clerk to the Board of Supervisors

I, LIINDA TERRA, Clerk to the Board of Supervisors of the County of Solano, State of California, do hereby certify that the above and foregoing Ordinance was introduced at a regular meeting thereof held the 11th day of May, 1993.

On the motion of Supervisor Carroll and the Second of Supervisor Kondylis, this Ordinance was adopted at a regular meeting of said Board on May 25, 1993, by the following vote:

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AYES: SUPERVISORS Carroll, Kondylis, Thomson and Chairman Caddle

NOES: SUPERVISORS None

ABSTAINED: SUPERVISORS None

ABSENT: SUPERVISORS Schlenker

WITNESS my hand and the Seal of said Board this 25th day of May, 1993.

LINDA TERRA, Clerk to the Board of Supervisors

By Linda Terra